



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

I mean, my – I think it's only fair to add there, my view is that Ambassador Yovanovitch was subjected to just really outrageous press coverage and innuendo and threats coming from the highest levels, retweeting irresponsible journalism, which affected her personally, her safety, affected our mission, reflected on the United States, and it was pretty outrageous. And I pushed within the Department more robust language as we were – we proposed putting out a statement, and that was not approved in that way. And so we used what we did have... But I still, you know, think it is unfortunate that such a fine professional Foreign Service officer, American, and, most importantly, human being, had to go through that. (pp. 174-175)

Acting Assistant Secretary Reeker dismissed the false allegations directed at Ambassador Marie Yovanovitch, Deputy Assistant Secretary George Kent, and the Foreign Service in general. (Page 240)

I've seen the outrageous smears and attacks against Ambassador Yovanovitch, in particular, George [Kent], our embassy, the Foreign Service in general. We have been called Obama holdovers and deep State whatever, which, of course, is personally offensive having done this for 27 years through one administration to another, regardless of party, and being nonpolitical, and focused on, you know, the foreign policy of the United States, and trying to engage, and support our interests, regardless of who the President is.

Responding to the smear campaign against Ambassador Yovanovitch, Under Secretary of State for Political Affairs David Hale suggested that Yovanovitch “should deny on the record anything disrespectful and reaffirm her loyalty as an ambassador” to President Trump and “the Constitution.” (Pages 42-43)

Q: And so I had asked you earlier about those conversations issuing a more formal defense of Ambassador Yovanovitch from the executives or from the seventh floor and you indicated you did have those conversations. Can you describe a little bit more generally the nature of those conversations?

A: So by the weekend, as I noted, you know, with this still going, so we are on the weekend of the 23rd...my team was, as I said, passing stuff to me, excerpts from the various press things, trying to sort of compile it. And I did forward it up to Under Secretary Hale, copying the counselor of the 23rd in the afternoon: “Looping you in” – this is to Ulrich Brechbuhl – “Looping you in on the latest I’ve received.” And the referenced I mentioned before that include Twitter-based threats against the Ambassador.

And then Under Secretary Hale said he “deferred to coms people,” or the communication folks, “but I believe Masha” – that is, Ambassador Yovanovitch – “should deny on the record saying anything disrespectful and reaffirm her loyalty as ambassador and Foreign Service officer to POTUS and the Constitution.” And we transmitted –

Q: What is the date of the email?

A: That is the 23rd of March.

Q: Is Ambassador Yovanovitch on that email or is that just –

A: No, that was his reply to what I had forwarded up to him and to –

Q: Can you just tell us who else was on that email?

A: Under Secretary Hale and Counselor Brechbuhl.

Ambassador Reeker described efforts to get to the State Department to issue a statement of support for Ambassador Yovanovitch but was told that “[t]here would be no statement” and was not provided with an explanation. (Pages 46-47)

A: So this, again, is March 25th, where we had tried by the end of that first week of all of this to say, you know, can we put out – and Masha [Yovanovitch] was interested in some kind of statement, not just the response to queries that we were doing, but a formal statement from the Department.

And, you know, queries continued to come in following, for instance, the – specifically on some of the FOX News programs of Laura Ingraham and Sean Hannity, we got a lot of questions about the allegations there.

And we forwarded it around for clearance to put it out. And I [sic] was sent from the staff on Monday the 25th, 12:04pm, from the special assistant to the undersecretary for political affairs: “P” – that would be the undersecretary [David Hale] – “says no statement.”

And then that actually – that was not sent to me. That was sent to the European Bureau press office, which was then forwarded to me, highlighting the response of P.

Q: So that was no statement?

A: Correct. He said there will be no statement. “P says no statement.”

Q: Do you have any additional information about why that decision was made?

A: I don’t. There would be no statement. We would continue to use the press guidance that we had that had been cleared.

Q: Okay. Did you ever come to learn why there was a reluctance to offer a statement, an additional statement?

A: No, that was the decision that came down.

Three days before the State Department decided that there would be no statement, the Ukrainian Ministry of Foreign Affairs had already issued a statement stating the Ministry “fruitfully cooperates with the U.S. Ambassador and thanks the American diplomat and her team” for their contribution to the U.S.-Ukraine strategic partnership. (Page 41)

A: But that’s – and just to interject here, because it gets to the point you made earlier, I found the statement by the Ministry of Foreign Affairs in response to the demarche, that as the chairman asked, we demarched and said we really expected the Ukrainian Government to step up and say something about this. And the Ministry of Foreign Affairs did put out a statement through their ministry spokesperson, Zelenko, saying how: The ministry fruitfully cooperates with the U.S. Ambassador and thanks the American diplomat and her team for their contribution to building strategic partnerships between our states. So that was an important piece.

On an April 24 phone call Counselor Brechbuhl told Ambassador Reeker that Ambassador Yovanovitch's situation had become "suddenly much worse" and explained that there was "unhappiness" in the White House that she was still Ambassador to Ukraine, and a "belief" in the State Department that Ambassador Yovanovitch should return to Washington, D.C. for "consultations." Ambassador Perez subsequently called Ambassador Yovanovitch and directed her to return. (Page 49)

And then it was on that weekend that the media storm happened again, and I got some urgent calls from Counselor Brechbuhl. I spoke to him in a phone call on the 24th of April, as well as with the under secretary and the head of human resources, that things had gotten, in their words, suddenly much worse.

There was a lot of unhappiness – without anything explicit, because we were speaking on open lines – there was unhappiness from the White House that Ambassador Yovanovitch was still there, and the belief that she needed to come back, the belief in the State Department that she needed to come back to Washington for consultations. And the head of human resources, the director general of the Foreign Service, Ambassador Carol Perez, made that call to her.

...

Then on the 24th after these calls with Ulrich [Brechbuhl], and then Masha [Yovanovitch] had been told she needed to come into the embassy to take an important call from the director general [Perez] and she was asking me if she knew what was going on. And I did tell her in a call with Ulrich [Brechbuhl] he said things had suddenly, quote, "changed for the worse," unquote, but he couldn't share anything on an open line.

Then I had a call from Carol – that would be Ambassador Perez – who also offered no details, but was about to call you, Masha, next.

And I said to Masha in text message: "So I'm largely in the dark, but it doesn't sound good. Let me know if you want to talk.

And she was at the time hosting a large reception and she was going into the embassy to talk to Carol. And I believe Carol told her that she really should come back to Washington. Carol didn't have a picture of this, but just that she needed to – she felt Masha should come back to Washington.

So that's when she came back to Washington. That would not be considered recalled. She was told to come back to Washington, which I believe she did on Friday, the 26th of April.

During Ambassador Yovanovitch’s April “consultations” in Washington, D.C., she met with Deputy Secretary of State John Hale who told her that she had done “nothing wrong.” Ambassador Yovanovitch permanently departed Ukraine as Ambassador on May 20, 2019. (Pages 51-53)

A: So, when she met on the 29th with the deputy secretary of state, I was asked to sit in with that, and I joined that meeting. I read the press reports of her deposition to you where the deputy secretary is quoted as telling her: “You’ve done nothing wrong.” And that is what I heard sitting there as well.

The problem at hand was that, essentially, the President had lost, what we term, had lost confidence in her as ambassador in Ukraine. And the question then was, what comes next? And the deputy secretary of state, to my recollection, gave her the option to decide what date she wanted to return, understanding – and I think we all understood – that with the media storm and the focus on this, that going back to Kyiv and staying through July could be, you know, difficult.

Q: And so you said the term “being recalled” wasn’t the right word. Is there a better word?

A: There is a term for that, her – again, my greatest concern was for Masha [Yovanovitch] as a person and a professional. None of us – well, I certainly, and I know of other colleagues, were not pleased about this. No one wants to see someone go through this and such, you know, inaccurate and unpleasant things being said about a colleague, a professional, about a United States ambassador in the press, particularly in her own country.

And – but I wanted to make sure Masha was going to be okay. Obviously, I had two responsibilities. One was to the post, making sure our post was properly and legally covered, and one was to Masha as a human being, as a colleague, as a United States ambassador.

So when she made the decision to make her last day the 20th of May, I fully supported that. And so I think the best term would be to say that she ended her assignment on the 20th of May, which was 6 weeks earlier than we had been focusing on.

After her recall, Ambassador Yovanovitch still faced media attention asked Mr. Kent to “stand up for the Embassy” because Rudy Giuliani had “denigrated the whole embassy.” (Pages 212-213)

I find one mention of Giuliani, and we find this email, this is an exchange with George, who is on the 27th of May, he had talked to Masha. He was relaying that to me. She had two asks and suggestions regarding press guidance on the latest media about her. She had already come back by this point. She – she said if possible, we -- she wants – wanted us to say we stand up for the embassy. She wanted us to stand up for the embassy, because Giuliani did not just name her and me, that would be George, but denigrated the whole embassy.

Ambassador Reeker described Ambassador Yovanovtich as an “[o]utstanding diplomat, very precise,” and “considered an excellent mentor, you know, a good leader.” (Page 25-26)

Q: And what was her general reputation as a Foreign Service Officer?

A: Outstanding. I mean, she’s one of the Foreign Service great leaders. Outstanding diplomat, very precise, very – very professional, considered an excellent mentor, you know, a good leader. And this was, of course, Ukraine was her third ambassadorship. We had served together in the European Bureau when I was deputy assistant secretary for the Balkans. And in Central Europe she was another one of the DAS’s. I think she had the Nordic and Baltic portfolio at that time. And then she became the principal deputy assistant secretary, an acting, for a period toward the end of my time in the Bureau.

Q: Had you ever heard any complaints within the State Department about the job she was doing as ambassador of Ukraine?

A: No, sir. And [sic] European Command she had an excellent reputation. The commander found her extremely professional and worked closely with her. (p. 26)

Ambassador Sondland stated he had a “script” for President Zelensky to use “moving forward.” Ambassador Reeker said that Ambassador Sondland was “sort of the political lead” with the Ukrainians, “including President Zelensky.” (Pages 133-136)

Q: I’m sorry, I have one more question, if I could. You made reference earlier in response to the minority questions about Ambassador Sondland referring to a script. Can you tell us what you meant by that?

A: I recall that he was he was working with Zelensky to – to work, you know, as he prepared for phone calls and engagement with the President toward this meeting, he had sort of a script. That’s how he described it. I don’t know the specifics of what he meant by that, but he described it as a script for Volodymyr to help him as we move forward in this.

Q: So this was a script that Sondland had for Zelensky to use in the phone call with the President?

A: Again, I couldn’t say that that was specifically [sic] to that, or more broadly, as a script for Zelensky. Here is our script moving forward. You know, Gordon [Sondland] was very involved working directly with Zelensky to try to move forward on all of the things that we had – they had discussed after the meeting of the 23rd of May.

Q: Or do you know if this was a script after the call to -- for him to use publicly in order to get a White House meeting?

A: I don’t know, sir.

Q: And how did it come to your attention? Did Ambassador Sondland use that term in a conversation with you?

A: Yes, and recall, and I couldn’t tell you if it was in a phone call or something. He is like, I’m working with – and I’m paraphrasing here. I cannot quote specifically, but I recall: I’m working with Volodymyr. We have got a script moving forward. I remember the term, “script.”

...

Q: Do you know what the context was? If he said: I've got a script to work with President Zelensky, or he called him Volodymyr [page 136] you said. Do you know what the context of that script was for?

A: Exactly as I tried to describe to the Chairman. I just remember the use of the word "script" as in Gordon [Sondland], Ambassador Sondland was working. He had always said he would take – he was sort of the political lead for our engagement with the Ukrainians at the highest level, including President Zelensky.

In an email exchange, Ambassador Reeker asked Undersecretary Hale why Ambassador to the E.U. Gordon Sondland was "so involved" in U.S. policy toward Ukraine, and Hale responded that the "Sondland angle is irregular." (Pages 100-101)

A: This is an email I just pulled out. I remember specifically pulling this out because it pertains to the question you asked and I answered earlier about the role of Ambassador Sondland.

There was stuff not at all connected to Ukraine, but I also asked the under secretary, undersecretary, reminding you that I've been on the ground in this job for 2 weeks, to understand better why Gordon is involved and the undersecretary responded –

Q: I'm sorry, can you tell us the date?

A: April 2nd.

Q: April 2nd. And its from you to –

A: Well, it's a string so it –

Q: A string between you and whom?

A: And David Hale, the undersecretary. My – the head of policy.

...

A: I asked him [Hale]: Separately, I'd like to understand why Gordon was so involved.

Q: Okay.

A: That's another thing. And he responded: Yes, Sondland angle is irregular. And I believe I already testified to that as the characterization of the role when I had asked, coming new into this, why the ambassador to the European Union was that involved. And that was the answer from the Under Secretary. (pp. 100-101)

At a May 16, 2019 meeting at the State Department, former National Security Council Senior Director for Europe and Russia Fiona Hill expressed frustration at Sondland's "irregular role." (Page 225)

Q: Did you participate in a May 16 meeting at [the] State Department with David [Hale] and Fiona Hill?

A: Yes. That sounds familiar. I think Fiona came over – yeah, 3:45 to 4:15pm, according to my calendar.

Q: And who set up that meeting and what was its purpose?

A: I'm not sure I can remember. I know I had an email afterwards saying – where David [Hale] said, I found that useful, it's good to do just to kind of – I think we

call it a signals check or something. I know she – I do think one of the topics was the issue of Gordon [Sondland], she had had, I think a – she was frustrated by Gordon's [Sondland's] role again, this irregular role. And that certainly came up there. I know at some point. I don't know if it was that early she – but it may have been them talking about having had a real sort of clash with Gordon [Sondland], words – words were exchanged, I think. And I just don't remember the details of that, but it fell into the same category of what I'd raised with Hale over the – I mean, I guess I had been around about almost 3 months at that point, irregular role.

Following the May 23, 2019 Oval Office Meeting with President Trump, Ambassador Reeker understood that Perry, Sondland, and Reeker would be the “three leads” of U.S. policy toward Ukraine and that Sondland “was very clear in that the President asked” him to do this. (Pages 148-149)

- Q: So then following that meeting, was it your understanding that these – was it your understanding that these Three Amigos, as you've described them – I know not your own words –
- A: Yeah, as Ambassador Sondland has described them.
- Q: -- would lead the Ukraine policy for the State Department? How was this going to be –
- A: For the State Department and the White House. They were going to be the three leads.
- Q: And did you have an understanding that the President directed that?
- A: I – yes, Gordon was very clear in that that the President asked me to do this. We will – we will lead this up here. That was very clear in the readout I got after the May 23rd meeting.
- Q: And you had also said several times today that Secretary Pompeo had also reaffirmed that arrangement, too. Is that right?
- A: Yeah. And I know Gordon [Sondland] was in touch with him. I know Secretary Pompeo thought very highly of Ambassador Volker. I mean he – Ambassador Volker reported to the Secretary.

Ambassador Reeker testified that Rudy Giuliani's desire to investigate the Bidens “was always out there, “the press was writing about it all the time,” and that “Rudy himself was talking about it.” (Page 224)

- Q: And you never discussed specific – you never discussed with either Kent, or Volker, or Sondland, or Perry, or anyone else the desire by Giuliani to investigate the Bidens?
- A: You know, it was in that oblique – that's not the right word, it was in the like, the discussion with Kurt [Volker] who was trying, as he said, I'm going to try to talk to Rudy [Giuliani] to get him refocused now, and how we moved forward.
- Q: Did the Bidens come up in that conversation?
- A: But I don't recall anyone mentioning the Bidens, per se. You know, it was just one of those things it was always out there, because, of course, Giuliani was

talking about it and the press was writing about it all the time. And George [Kent] too, you know, we, in our general discussions, as I have alluded to now many times, he had these four strands of narrative that were coming out, some of these sort of conspiracy theories, and one of them was that.

And so, you know, we would attribute certain things, here comes another press story that's still feeding on that, or is Rudy himself talking about that. (p. 224)

Ambassador Reeker stated there was an “understanding” that Rudy Giuliani was feeding President Trump “a lot of very negative views about Ukraine.” (Pages 144-145)

Q: In any of your conversations with Ambassador Volker about the May 23rd meeting, did the name Rudy Giuliani come up?

A: I know that there was an understanding, certainly, from Kurt [Volker] and others that were there that Rudy Giuliani is feeding the President a lot of very negative view about Ukraine. And –

Q: Did you understand that that was, at least, part of the basis for the President's displeasure with Ukraine?

A: Yes. That's fair to say. That was my – that was what the takeaway was.

In a text exchange, Ambassador Taylor told Ambassador Reeker that he was “struggling” with the decision about whether to go to Kyiv as Chargè d’Affaires and stated that the “Giuliani Biden issue will likely persist for the next year.” (Pages 63-64)

So in an exchange with Bill Taylor on the 26th of March – I'm sorry, May, 5-26-19, this is before we have met with Secretary Pompeo and which then reassured Bill. He said to me, “I'm still struggling with the decision whether to go. Basically, whether the politics back here will let me or anyone succeed.” Referring to this very political era around Ukraine.

Generally, I mean when you said Ukraine in the public or the media, this is what people focused on. When you said Ukraine to me, it was like, we have got an embassy, we have got this country with enormous potential that is being, you know, at war. There's just all kinds of implications.

That was what, I think, Bill was worried about, and he said again, I quote, “The Giuliani Biden issue will likely persist for the next year. I'm not sure S,” the Secretary, “can give me reassurance on this issue.”

Testifying about the July 25 Trump-Zelensky phone call, Ambassador Reeker stated that it was experience in the past for the contents of a Presidential phone call to be shared with relevant U.S. officials, that had “not been my experience in this current administration.” (Pages 194-195)

Q: Okay. And this is also one reason why most administrations the contents of a Presidential phone call with a foreign leader are shared with our ambassador to that country, with the assistant secretary, with people who commonly deal with officials from that country. Is that correct?

A: That has been my experience in the past. That has not been my experience in this current administration

Ambassador Reeker stated that it was his understanding that U.S. security assistance to Ukraine was “being held by Mr. Mulvaney, the White House Acting Chief of Staff.” (Page 70)

The understanding was that, without definitive knowledge, but my understanding, or our operating understanding was that this was being held by Mr. Mulvaney, the White House Acting Chief of Staff.