



Excerpts from Joint Deposition

David M. Hale
Under Secretary of State for Political Affairs

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

Secretary Pompeo was the “most likely” person to have made the decision not to support Ambassador Yovanovitch.

- Q: Now if you were a strong proponent of the statement and one was ultimately not issued, who made the decision not to issue the statement?*
- A: I don’t remember actually being told that. I must have been, but given my position in the State Department, it could only have been someone more senior to me. The Secretary most likely would have been the person.*

Mr. Hale thought that Ambassador Marie Yovanovitch was “doing a very good job” and he asked her to extend her assignment as U.S. Ambassador to Ukraine. (Page 16-17)

Q: When you were there [in Ukraine] in March, did you have a discussion with Ambassador Yovanovitch about extending her stay?

A: Yes, I did. I remember that we had a conversation, as the—later in the program, after I had some time with her, I felt that I could make an assessment that she was doing a very good job, and I asked her if she was—because we had a gap coming, we didn’t have an Ambassador lined up and confirmed to be there when she was due to leave in the summer, I asked her if she would consider staying longer. She said she wanted to think about it.

She got back to me after the trip and indicated that she was prepared to stay longer. So I turned it over to our head of the European Bureau to work it and see if there would be agreement on that.

It became “more and more obvious that this was an unusual set of things that were happening” and that Rudy Giuliani “was involved.” (Page 46)

A: Well it just became more and more obvious that this was an unusual set of things that were happening and that the mayor was involved. And as I said, by the April 20—what was it—the April 25th meeting, it was self-evident that the Secretary—that the President had lost confidence in the Ambassador.

Now—so I didn’t—I did say I initially couldn’t credit that. It just—over time, it became much more confusing to me what was happening, so I suspended—in fact, I can use the word, I was more prepared to suspend my disbelief than I was when I first was confronted with this information.

Secretary of State Mike Pompeo “asked Ulrich Brechbuhl, the counselor, to get in touch with Americans” who were thought to be involved in spreading false information about Ambassador Yovanovitch and “a statement would be on hold until such time as those conversations had been concluded.” (Page 22-23)

Q: What, if anything, did you do next in regard to a full-throated statement in defense of Ambassador Yovanovitch?

A: At 7:15 on Monday morning, I attended a routine meeting we have at this time every Monday with the Secretary of State, and I raised it.

Q: What did the Secretary of State say?

A: I don’t remember exactly what he said. There’s—it’s a group meeting, the deputy secretary’s [John Sullivan] there, Ulrich Brechbuhl is there; Mike McKinley usually attends, and the Under Secretary for Management [Brian Bulatao] or whoever is filling in in that role.

I do know that coming out of that meeting, I wrote an email to her—and I’ve reviewed this. I, frankly, did not remember these details. I researched them, and I found the email that I sent to Ambassador Yovanovitch immediately following that meeting saying that I had briefed the Secretary; that she should get in touch with Phil Reeker for more details,

because I had briefed him as well; and that the Secretary had asked Ulrich Brechbuhl, the counselor, to get in touch with Americans who were apparently—or thought to be involved in passing this alleged information about the behavior of the Ambassador into the social media arena or around into the White House or whatnot, that they would talk to those individuals. And that a statement would be on hold until such time as those conversations had been concluded.

Secretary Pompeo was the “most likely” person to have made the decision not to support Ambassador Yovanovitch. (Page 26-27)

- Q: Now if you were a strong proponent of the statement and one was ultimately not issued, who made the decision not to issue the statement?
- A: I don’t remember actually being told that. I must have been, but given my position in the State Department, it could only have been someone more senior to me. The Secretary most likely would have been the person.

Mr. Hale recommended that Ambassador Yovanovitch “put out a statement” because he “thought it was a good idea for her to demonstrate” as a member of the Foreign Service, “who we were loyal to and who we work for.” (Page 26-27)

- Q: Do you recall recommending to anyone within the State Department, including potentially Phil Reeker, that Ambassador Yovanovitch deny the allegations and quote, “reaffirm her loyalty, as the Ambassador and foreign service officer, to the President of the United States and the Constitution?”
- A: Yeah. We were working on—throughout this period, I was advocating for a State Department statement, a very robust full-page statement of defense and praise, actually, for the Ambassador’s work. And the concept was that simultaneously, or in coordination anyway, she would put out a statement. And they were debating in her embassy whether she should do it on camera or in a written statement. I don’t know exactly who initiated that idea.

I thought it was a good idea for her to demonstrate that she—there was—because it had become so personal, that she needed to remind people what foreign services are and who we were loyal to and who we work for and that she committed to that, and that that would be backed up, of course, by the statement that she was also seeking from the State Department.

The State Department did not issue a statement of support for Ambassador Yovanovitch because it “would fuel further negative reaction” and because “it would be better for everyone, including the Ambassador, to try to just move past this.” (Page 27)

- Q: And did you ever understand any rationale or reason why your recommendation of a full statement of support of Ambassador Yovanovitch was not acted upon?
- A: Well, the impression we had was that it would only fuel further negative reaction. And our plan at that point was to try to contain this and wait it out.
- Q: How would it fuel further negative reaction?

A: That a statement of endorsement for the Ambassador might lead these various individuals, whoever they were who were conveying information that was derogatory about the Ambassador, to counter it, and so it would just further fuel the story and there would be more back and forth. So I think the judgment was that it would be better for everyone, including the Ambassador, to try to just move past this.

Mr. Hale said the “implication” of Giuliani’s statements about Ambassador Yovanovitch “was that this was a roundabout way the President was trying to get rid of the Ambassador through this smear campaign.” Mr. Hale “found it very hard to understand why a President of the United States would do it that way.” (Page 37-38)

A: There was an email from George Kent that Phil Reeker forwarded to me right at the beginning of this – well, some time [sic] in the late March period, and in it, Mr. Kent conveyed information from two journalists, so Ukrainian journalists that he had talked to who made a number of allegations, including that the President—they were quoting Giuliani saying to a Ukrainian that the President really wants Ambassador Yovanovitch to go. And this seemed to be—the implication was that this was a roundabout way the President was trying to get rid of the Ambassador through this smear campaign.

I found it at the beginning very—I found it very hard to understand why a President of the United States would do it that way when he can just—I mean, all Ambassadors are Presidential appointees, they serve at the pleasure of the President, so it didn’t—it didn’t add up to me. I didn’t understand why that would be.

On March 28th and March 29th, Secretary Pompeo spoke with Rudy Giuliani about Ambassador Yovanovitch. After those calls, the State Department maintained its decision of not issuing a statement in support of her. (Page 34-35, 47-48)

Q: Do you know whether anyone reached out to Rudy Giuliani?

A: Again, in researching the materials available to me for this deposition I did ask to and saw the routine documents that our operations center keeps about the calls that the Secretary of State is making. So I don’t believe I knew this at the time, but he did make two prior calls to Giuliani, once on March 28 and again the next day on March 29.

...

Q: In prior testimony, there was reference to your special assistant sending an email to the European Bureau press office that read: “P said no statement.” That was March 25. Are you P?

A: Yes.

Q: Do you recall asking your special assistant to send an email, or the circumstances around her sending an email or him sending an email that read: “P says no statement”?

A: I don’t remember that specifically, but it’s consistent with the note—the email that I sent to Ambassador Yovanovitch that same day saying that there would be no statements now. But after these various contacts were made with Americans who were involved in the social media effort against the Ambassador, we would be back to look at whether or not there would be a statement.

Q: So on March 25 then: “P says no statement,” that was not necessarily indefinite, but at that point, the decision had been made to make no statement.

A: That’s right. That day we are not going to be issuing a statement.

Q: And then a few days later you have those two calls between Secretary Pompeo and Mr. Giuliani, and after those calls, the status remained the same. There would be no statement.

A: That’s right.

On June 21, 2019, Mr. Hale first learned that “OMB had stopped the aid.” (Page 80)

Q: Okay. Now, stepping back to the securities [sic] assistance hold that first emerged on July 18, when did that first come on your radar?

A: Again, having researched it to prepare for today, I first started to hear that there was a problem with it on June 21; that OMB had stopped the aid.

At a July 26, 2019, interagency meeting, Mr. Hale “advocated strongly for resuming the assistance.” Despite consensus from every agency present other than OMB that aid should be provided, Mr. Hale did not have confidence that the aid would be released because OMB “had guidance from the President and from Acting Chief of Staff Mulvaney to freeze the assistance.” (Page 80-81)

A: And I was briefed that on July 23 there was a lower-level interagency meeting in which OMB said that the Ukraine assistance was suspended. And on July 26, I was called to a meeting of what we called the Deputy Small Group on Ukraine. That’s the deputy of all of the foreign affairs agencies that have concerns, chaired by Deputy National Security Adviser Kupperman.

Q: Were there any events between 7-26 and the cable from Ambassador Taylor on this topic?

A: No, I mean, what happened in the—in the Small Group meeting that Mr. Kupperman asked each agency, starting with me, as the State’s senior cabinet agency what our view was on this matter, and I advocated strongly for resuming the assistance, and did every other agency represented there with the exception of one, which was the OMB.

Q: And did you have confidence that the aid would be ultimately released?

A: Well, OMB said that the—when asked why by someone, perhaps Kupperman, they said that they had guidance from the President and from Acting Chief of Staff Mulvaney to freeze the assistance.

So I went back to the office and sent a note to the Secretary through his staff reporting this and saying that it seemed to me that this was going to have to be resolved at the principals level and that it was unlikely that OMB would be shifting their position at the principals level given what we just heard. And therefore, it would have to be resolved, if he wished to have it resolved, directly with the President. So I left it at that, and time passed.