



Excerpts from Joint Deposition

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House Committee on Foreign Affairs

During the lunch, Ambassador Sondland said that he was going to call President Trump to give him an update. Ambassador Sondland placed a call on his mobile phone, and I heard him announce himself several times, along the lines of: Gordon Sondland holding for the President.

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While Ambassador Sondland's phone was not on speaker phone, I could hear the President's voice through the ear piece of the phone. The President's voice was very loud and recognizable, and Ambassador Sondland held the phone away from his ear for a period of time, presumably because of the loud volume. I heard Ambassador Sondland greet the President and explain that he was calling from Kyiv. I heard President Trump then clarify that Ambassador Sondland was in Ukraine. Ambassador Sondland replied yes, he was in Ukraine, and went on to state that President Zelensky, quote, unquote, loves your ass. I then heard President Trump ask, quote, "So he's going to do the investigation?" unquote. Ambassador Sondland replied that, "He's going to do it," adding that President Zelensky will quote, "Do anything you ask him to."

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After the end of the call, Ambassador Sondland remarked that the President was in a bad mood. As Ambassador Sondland stated, it was often the case early in the morning. I then took the opportunity to ask Ambassador Sondland for his candid impression of the President's views on Ukraine. In particular, I asked Ambassador Sondland if it was true that the President did not give a shit about Ukraine. Ambassador Sondland agreed that the President did not give a shit about Ukraine. I asked why not, and Ambassador Sondland stated, the President on cares about, quote, unquote, big stuff. I noted that there was, quote, unquote, big stuff going on in Ukraine, like a war with Russia. And Ambassador Sondland replied that he meant, quote, unquote, big stuff that benefits the President, like the quote, unquote, Biden investigation that Mr. Giuliani was pushing. The conversation then moved on to other topics.

The Ukrainians perceived Giuliani as “a significant individual in terms of their relationship with the United States” and “an important conduit to the President.” (Page 113, 129–132)

The Ukrainians, conversations with the Ukrainians, viewed him [Giuliani] as an important representative of American interests and of the United—let me say it this way. The viewed him as a significant individual in terms of their relationship with the United States.

...

Q: Okay. Based on those interactions with the Ukrainians, was it your understanding that they believe that Rudy Giuliani spoke for the President of the United States?

A: I believe they were aware that he’s the President’s personal attorney. And I believe that they perceived him in that role to be someone who is important in—an important conduit to the President

In requesting that Ukraine investigate Burisma and the Bidens, Giuliani was pushing “political things that were not related to the implementation of our policy,” which were part of the “President’s political agenda.” (Page 126–127)

Q: What did you mean when you wrote that Rudy Giuliani was promoting a political agenda?

A: Again, we were told to do our jobs, to implement policy, kind of, as we understood it, and to disregard all that other stuff as stuff that was relevant to Washington politics. The themes that Mr. Giuliani was promoting and his associates were promoting were in that basket, in my view. And so that was my understanding. In my mind, those were—those were things—those were political things that were not related to the implementation of our policy.

Q: And what were those political things being promoted by Giuliani?

A: It was the things I outlined in March in these various media articles that he had his associates were pointing to or were referencing.

Q: So did that include the investigation of Burisma and the Bidens?

A: Yes, sir.

Q: And did it also include the investigation of the purported Ukrainian interference into the 2016 U.S. election?

A: Yes sir.

Ambassador Marie Yovanovitch was “incredibly professional, dedicated, determined” and had a reputation for promoting anti-corruption efforts in Ukraine “as good as anyone known for that.” (Page 140–141)

Q: How long did you work under Ambassador Yovanovitch, first of all?

A: So from my arrival in August 2017 until her departure.

Q: What is your opinion of her performance as the Ambassador to Ukraine?

A: She’s one of the hardest working people I’ve ever met. I thought she was incredibly professional, dedicated, determined.

Q: And what about her reputation for promoting anti-corruption efforts in Ukraine?

- A: As good as anyone known for that.
- Q: Is it fair to say that fighting corruption under Ambassador Yovanovitch was among the Embassy's top priorities in Ukraine?
- A: I [sic] was among them, yes.
- Q: She was a huge advocate for anti-corruption efforts?
- A: Correct.

Holmes had never in his career seen anything like the “intensity and consistency of the media attacks” against Ambassador Yovanovitch or the decision to recall her from her post in response to those attacks. (Page 143)

[T]he media, the intensity and consistency of the media attacks of her personally by name as a U.S. Ambassador and the scope of the allegations that were leveled against her, the intensity of that, I've never seen anything like that. And then, to have an Ambassador recalled because of this media campaign, I had never seen anything like that.

After Ambassador Yovanovitch was recalled, Ambassadors Sondland and Volker and Secretary Perry “made it clear” they had responsibility for engaging with the Zelensky administration, and Sondland “portrayed himself as the conduit” to President Trump and Chief of Staff Mick Mulvaney. (Page 70)

- Q: You then went on to say that Secretary Perry, Ambassador Sondland, and Ambassador Volker, the Three Amigos, made it clear they would take the lead on coordinating policy and engagement with the Zelensky administration. About when was that?
- A: So the first time that I encountered them as a group was when they came for the Presidential inaugural delegation with—led by Secretary Perry. And they were in preparatory meetings at the hotel the morning of, they were discussing this, about how can we coordinate the policy, how can we, you know, how can we come up with an agenda for the new Zelensky administration. And each of them had contributions to that.
- Q: But you mentioned in your testimony that they were going to take the lead on coordinating policy and engagement with the Zelensky administration. Is that right?
- A: That's correct.
- Q: And that would have been immediately or almost immediately after the inauguration?
- A: That was the day of the inauguration, on May 20th, the same day that Ambassador Yovanovitch departed post.
- Q: So the same day that Yovanovitch is literally recalled, there's a new team put in place to be the liaison with the Zelensky administration, and that's the Three Amigos?
- A: The decision to recall her happened prior to the 20th, but that was the day she got on a plane.

- Q: Okay. Do you know whether there was any factual basis to either of those allegations?
- A: I'm not aware of any factual basis for either one.
- Q: Okay. So whose political agenda was Rudy Giuliani promoting in Ukraine?
- A: I came to believe that it was the President's political agenda.
- Q: Okay. And why did you come to believe that?
- A: Because Mr. Giuliani was promoting the investigations issue, which later I came to understand, including through these various interactions, that was—that the President cared about.

A White House meeting between President Zelensky and President Trump was critically important to Zelensky's ability to demonstrate U.S. support for his reform agenda and as an expression of Ukraine's strength in negotiations to end the armed conflict with Russia. (Page 40–46)

So to have the, like I said, the imprimatur of the U.S. President, the most powerful man in the world, and the head of the government that is backing them in what they are doing, that's very, very important to them.

...

And so he need to signal the United States was supporting him in that reform effort, including anti-corruption reforms that have since gone beyond the prior administration in significant ways. The other side of the ledger is Ukraine's foreign policy and its conflict with Russia. I served in Russia for 3 years before going to Ukraine. My experience then and since, and in talking with analysts on Russia, the consensus view is that President Putin doesn't take a lot of things seriously unless the president of the United States does. He wants to be seen on as a peer, on level with the United States in terms of global affairs.

...

- Q: So this wasn't just kind of the intangible understanding that it's important to world leaders generically to have a meeting with the U.S. President. The Ukrainians conveyed multiple times just how important this was to them?
- A: That's correct. It was very important to them, and also in their particular circumstances with respect to Russia.
- Q: And given the importance to Ukraine of this meeting, did that give leverage to the United States over the President of Ukraine?
- A: They really wanted the meeting.
- Q: I think you mentioned also in your testimony, and you just talked about how important it was for Ukraine to have this meeting vis-à-vis their domestic audience, but also vis-à-vis their adversary the Russians.
- A: That's right.
- Q: That it was a set back to Ukraine that the President wouldn't meet with Zelensky, but he would meet with Putin. That meeting would come first. Is that right?
- A: That's correct
- Q: And did that make the press in Ukraine?
- A: Yes.

State Department officials understood “the significance of opening a new investigation of the Bidens and/or Burisma as being motivated primarily by a domestic U.S. political concern,” and Embassy officials advised the Ukrainians to “stay out of U.S. politics.” (Page 192–193)

A: I guess I would say that Giuliani was sort of meddling in Ukrainian affairs by asking them to open an investigation that would—could be perceived as meddling in U.S. politics.

Q: And that would—and you’re telling them to stay out of U.S. politics, correct?

A: Correct.

Q: And what Mr. Giuliani was saying was contra to what you were advising them?

A: We regarded the Ukrainians—we understood the significance of opening a new investigation of the Bidens and/or Burisma as being motivated primarily by a domestic U.S. political concern, because we were not aware of another reason, new facts or other reasons to initiate a new investigation.

...

A: I distinctly recall advising Yermak to stay out of U.S. politics, and it was a consistent theme of our messaging. I’m not sure if I can recall another time when we specifically said to President Zelensky to same message.

But what I will say is he understood that message, because he would repeat – not repeat it back to us, but he would say things like, I’ve got enough problems with Russia meddling in my elections, why would I want to go meddle in someone else’s election. I mean, he had internalized the point.

Lieutenant Colonel Vindman also told counseled the Ukrainians about the importance of “staying out of U.S. domestic politics.” (Page 148)

Q: During the meeting with President Zelensky and the U.S. delegation, Lieutenant Colonel Vindman was there, correct?

A: Yes.

Q: Do you recall him bringing up, during that meeting, advice to President Zelensky that he should avoid getting involved in U.S. domestic politics?

A: He did say that.

Q: What did he say? What is your recollection of what Colonel Vindman said?

A: I just reviewed my notes the other day, and he said precisely that. He had a very short intervention because he was the last of them to speak. And I want to say, I believe he said something about the peace process or about, you know, we think that’s important, conflict diplomacy, whatnot. And he said, I want to be very clear, it’s very important that you stay out of – despite what might be going on, and this is at a time that we were all aware of the media issues and Ambassador Yovanovitch’s departure, recall. He said, I want to make – underscore to you the importance of staying out of U.S. domestic politics (p. 148)

Mr. Holmes and Ambassador Taylor were “shocked” to learn on July 18th that President Trump had placed a hold on security assistance funds to Ukraine, and never learned the reason for the hold. (Page 152–154)

- Q: Prior to July 18th, did you know that a hold had been put in place or was being considered?
- A: No.
- Q: So this was the first you heard of it?
- A: Yes.
- Q: What was your reaction when you learned that this hold had been placed?
- A: I believe Ambassador Taylor testified that we were shocked, and I would subscribe to that.
- Q: Were you and Ambassador Taylor in the same room?
- A: Yes, with several other Embassy staff.
- Q: And why were you shocked?
- A: Security assistance is a linchpin of our relationship with Ukraine and supports them in their effort to stand up to Russian aggression, extremely symbolically important as well, probably more so than any of the other assistance we provide Ukraine, although that’s important too. But a symbolism of backing them on security issues is very important, it’s one of the reasons that the javelin missiles were so important as well, the symbolic backing of them in the security sphere. So to suddenly hear, without any prior warning, that those funds were suspended was extremely significant.
- Q: And would withholding that security assistance undermine what, at least had been longstanding U.S. Government policy toward Ukraine, and interfere with the goals that you laid out in your statement that you were trying to achieve?
- A: In my view, yes.
- ...
- Q: Okay. Did you ever learn the official reason why a hold had been put in place and subsequently lifted on September 11th?
- A: No.

On July 26th, Ambassador Sondland made a sensitive phone call to President Trump on a cell phone, even though State Department personnel in Kyiv “generally assume that mobile communications in Ukraine are being monitored.” (Page 51)

- Q: Let me move ahead to the call that you overheard at the restaurant. You said Ambassador Sondland placed this call on his mobile phone?
- A: Yes, sir.
- Q: Did that cause you any concern about the security of the phone call?
- A: It was surprising to me that he—yes. In my experience, generally, phone calls with the President are very sensitive and handled accordingly.
- Q: And making a cell phone call from Ukraine, is there a risk of Russians listening in?

A: I believe at least two of the three, if not all three of the mobile networks are owned by Russian companies, or have significant stakes in those. We generally assume that mobile communications in Ukraine are being monitored.

Mr. Holmes was present for Ambassador Sondland’s call to President Trump on July 26th, in which President Trump asked, “so he’s going to do the investigation?” and Sondland replied: “President Zelensky will do anything you ask him to.” (Page 52–53, 117–118)

Q: And then you said President Zelensky or Ambassador Sondland went on to say that “President Zelensky loves your ass,” meaning that he loves the President?

A: Yes, sir.

Q: And then you could hear President Trump say, so he’s going to do the investigation?

A: Yes, sir.

Q: And Sondland replied, he’s going to do it?

A: Yes. He said, Oh yeah, he’s going to do it.

Q: And then we went on to say, President Zelensky will do anything you ask him to?

A: Yes.

Q: And those are the words you heard, to the best of your recollection?

A: Yes sir.

Q: And, you know, I think you said you have quite a clear recollection of that. It left an impress on you, did it?

A: This was an extremely distinctive experience in my Foreign Service career. I’ve never seen anything like this, someone calling the President from a mobile phone at a restaurant, and then having a conversation of this level of candor, colorful language. There’s just so much about the call that was so remarkable that I remember it vividly.

...

Q: Did anyone refresh your recollection of the call? Did anyone help you refresh your recollection of the call?

A: No, and that wouldn’t have been needed, sir, because, as I said, the event itself was so distinctive that I remember it very clearly, and I was constantly thinking about whether that incident was relevant as this process unfolded.

After he finished his call to President Trump, Sondland told Holmes that President Trump “doesn’t give a shit about Ukraine” or the war between Ukraine and Russia, and only cares about the “big stuff that matters to him, like this Biden investigation that Giuliani is pushing.” (Page 23–26, 53–55)

A: When the meeting ended, the two staffers and I accompanied Ambassador Sondland out of the Presidential Administration Building and to the embassy vehicle. Ambassador Sondland said that he wanted to go to lunch, and I told Ambassador Sondland that I would be happy to join if he wanted to brief me out on the Yermak meeting or discuss other issues, and Ambassador Sondland said that I should join. The two staffers joined for lunch as well.

The four of us went to a nearby restaurant and sat on an outdoor terrace. I sat directly across from Ambassador Sondland, and the two staffers sat off to our sides. At first, the lunch was largely social. Ambassador Sondland selected a bottle of wine that he shared among the four of us, and we discussed topics such as marketing strategies for his hotel business.

During the lunch, Ambassador Sondland said that he was going to call President Trump to give him an update. Ambassador Sondland placed a call on his mobile phone, and I heard him announce himself several times, along the lines of: Gordon Sondland holding for the President.

It appeared that he was being transferred through several layers of switchboards and assistants. I then noticed Ambassador Sondland's demeanor change, and understood that he had been connected to President Trump.

While Ambassador Sondland's phone was not on speaker phone, I could hear the President's voice through the ear piece of the phone. The President's voice was very loud and recognizable, and Ambassador Sondland held the phone away from his ear for a period of time, presumably because of the loud volume.

I heard Ambassador Sondland greet the President and explain that he was calling from Kyiv. I heard President Trump then clarify that Ambassador Sondland was in Ukraine. Ambassador Sondland replied yes, he was in Ukraine, and went on to state that President Zelensky, quote, unquote, loves your ass.

I then heard President Trump ask, quote, "So he's going to do the investigation?" unquote. Ambassador Sondland replied that, "He's going to do it," adding that President Zelensky will quote, "Do anything you ask him to."

Even though I did not take notes of these statements, I have a clear recollection that these statements were made. I believe that my colleagues who were sitting at the table also knew that Ambassador Sondland was speaking with the President.

The conversation then shifted to Ambassador Sondland's efforts, on behalf of the President, to assist a rapper who was jailed in Sweden, and I could only hear Ambassador Sondland's side of that part of the conversation. Ambassador Sondland told the President that the rapper was, quote, unquote, kind of eff'd there – I think I said the magic word – he was kind of eff'd there – he used the actual word – and, quote, he should have pled guilty. He recommended that the President, quote, wait until after the sentencing or it would only make it worse, quote, adding, the President should, quote, let him get sentenced, play the racism card, and give him a ticker-tape when he comes home, unquote.

Ambassador Sondland further told the President that Sweden, quote, should have released him on your word, unquote, but that, quote you can tell the Kardashians you tried.

After the end of the call, Ambassador Sondland remarked that the President was in a bad mood. As Ambassador Sondland stated, it was often the case early in the morning.

I then took the opportunity to ask Ambassador Sondland for his candid impression of the President's views on Ukraine. In particular, I asked Ambassador Sondland if it was true that the President did not give a shit about Ukraine. Ambassador Sondland agreed that the President did not give a shit about Ukraine.

I asked why not, and Ambassador Sondland stated, the President only cares about, quote, unquote, big stuff. I noted that there was, quote, unquote, big stuff going on in Ukraine, like a war with Russia. And Ambassador Sondland replied that he meant, quote, unquote, big stuff that benefits the President, like the quote, unquote, Biden investigation that Mr. Giuliani was pushing. The conversation then moved on to other topics.

...

Q: Now, what led you to believe that the President didn't give a shit about Ukraine? That's an interesting way to start a question asking for feedback.

A: Yeah. I'm not proud of my language. But the informal tone of the lunch and the language I had heard him using in his call with the President, we were just sort of, you know, two guys talking about stuff, and it seemed to me that was the kind of language that he used.

And so I was—I, at that point, believed that it had been very difficult for us to get the President interested in what we were trying to do in Ukraine. Those are the words I chose.

Q: And Sondland agreed with you that the President did not give a shit about Ukraine. So his answer was to you, the President doesn't give a shit about Ukraine?

A: My recollection, he said, Nope, not at all, doesn't give a shit about Ukraine.

Q: And you asked him why not, and what did the President say?

A: Sondland?

Q: I'm sorry. What did Ambassador Sondland say?

A: Yeah, He said he only cares about big things.

Q: Big things or big stuff?

A: Big things. Big stuff. Big.

Q: And you noted that there was big stuff going on in Ukraine, like a war with Russia?

A: Yes.

Q: And what did Ambassador Sondland say in reply?

A: He said, no, big stuff that matters to him, like this Biden investigation that Giuliani is pushing.

Q: So Ambassador Sondland conveyed that the big stuff the President cared about was stuff that benefited the President, like the investigation into the Bidens?

A: That was my understanding, yes.

Mr. Holmes contemporaneously reported the July 26th call and discussion with Ambassador Sondland to his coworkers at the Embassy, and repeatedly referred back to the conversation in discussions with Embassy staff. (Page 55–56, 79–80, 89–90)

Q: When you returned to the Embassy, you told the Deputy Chief of Mission about this conversation?

A: Yes. So she's my direct supervisor.

...

Q: And how much detail did you go into with the Deputy Chief of Mission?

A: I believe I told her the whole thing. I said, You're not going to believe what I just heard, and then I just went through—every element of this was extraordinary. You know, on the one hand, she was shocked, as I was, that that just happened. It was pretty exceptional. She though parts of it were funny. Parts of it, I think, she—confirmed some of the things we thought were the case, as I said, because for months, we'd been hearing about things like the Biden investigation and having trouble trying to get traction on the meetings we were seeking. So it had a ring of truth to it. So that was the kind of reaction that I got.

...

I would refer back to it repeatedly in our, you know, morning staff meetings. We'd talk about what we're trying to do. We're trying to achieve this, that. Maybe it will convince the President to have the meeting. And I would say, Well, as we know, he doesn't really care about Ukraine. He cares about some other things. And we're trying to keep Ukraine out of our politics and so, you know, that's what we're up against. And I would refer—use that repeatedly as a refrain.

...

Q: And then when you reconvened with Ambassador Taylor after your vacation, and you related what you heard on the call to him, do you remember his reaction?

A: You know, yes, I remember the look on his face. And it was like—how do I describe this without—so we can take it down. It was like, yeah, as we expected.

The “Ukrainians gradually came to understand that they were being asked to do something in exchange for the meeting and the security assistance hold being lifted.” (Page 156)

Q: Given all of the circumstances that we've been talking about, was it your impression that the Ukrainians felt pressure to proceed or announce these investigations, given the campaign that Rudy Giuliani and others were doing at the behest of the President?

A: I think the Ukrainians gradually came to understand that they were being asked to do something in exchange for the meeting and the security assistance hold being lifted.