

in pursuit of his personal political benefit.

In doing so, President Trump used the powers of the Presidency in a manner that compromised the national security of the United States and undermined the integrity of the U.S. democratic process. He thus ignored and injured the interests of the Nation.

As part of the House's impeachment inquiry, the committees undertaking the investigation served subpoenas seeking documents and testimony deemed vital to the inquiry from various executive branch agencies and offices and current and former officials.

In response, and without lawful cause or excuse, President Trump directed executive branch agencies, offices, and officials not to comply with those subpoenas. President Trump thus interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives and assumed to himself functions and judgments necessary to the exercise of the sole power of impeachment vested by the Constitution in the House of Representatives.

As George Washington and his troops retreated across the Delaware River in early December 1776, they were read the words of Thomas Paine, published that month in his pamphlet, "The American Crisis":

These are the times that try men's souls. The summer soldier and the sunshine patriot will, in the crisis, shrink from the service of their country; but he that stands by it now, deserves the love and thanks of man and woman.

Seventeen days later, George Washington crossed the Delaware, leading to a decisive victory for those who would come to shape our promising young country.

As much as our Founders feared an unchecked Chief Executive able to pursue his own will over the will of the people, they also feared the poison of excessive factionalism that could divert us from a difficult service to our country. As George Washington warned in his farewell address, "the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it."

Our political parties and affiliations are central to our democracy, ensuring that good and bad political philosophies alike are considered in the marketplace of ideas. Here, the American people can choose between the policies of one party or another and make decisions about their political leaders up to and including the President of the United States based on the degree to which that person represents their interests and values. That is not factionalism; that is the foundation of our democracy.

But when a leader takes the reins of the highest office in our land and uses that awesome power to solicit the help of a foreign country to gain an unfair advantage in our free and fair elections, we all—Democrats and Repub-

licans alike—must ask ourselves whether our loyalty is to our party or whether it is to our Constitution. If we say that we will align ourselves with that leader, allowing our sense of duty to be usurped by an absolute Executive, that is not democracy; it is not even factionalism. It is a step on the road to tyranny.

The damage that this President has done to our relationship with a key strategic partner will be remedied over time, and Ukraine continues to enjoy strong bipartisan support in Congress. But if we fail to act, the damage to our democratic elections, to our national security, to our system of checks and balances will be long-lasting and potentially irreversible.

As you will hear in the coming days, President Trump has acted in a manner grossly incompatible with self-governance. His conduct has violated his oath of office and his constitutional duty to faithfully execute the law. He has shown no willingness to be constrained by the rule of law and has demonstrated that he will continue to abuse his power and obstruct investigations into himself, causing further damage to the pillars of our democracy if he is not held accountable.

He cannot be charged with a crime, so says the Department of Justice. There is no remedy for such a threat but removal from office of the President of the United States.

If impeachment and removal cannot hold him accountable, then he truly is above the law.

We are nearly 2½ centuries into this beautiful experiment of American democracy, but our future is not assured.

As Benjamin Franklin departed the Constitutional Convention, he was asked: "What have we got? A Republic or a Monarchy?" He responded simply: "A Republic, if you can keep it."

A fair trial, impartial consideration of all of the evidence against the President is how we keep our Republic.

That concludes our introduction.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The CHIEF JUSTICE. The majority leader is recognized.

Mr. McCONNELL. Chief Justice, colleagues, I suggest we have a recess until 10 minutes to 4, at which moment we will reconvene, subject to the call of the Chair.

The CHIEF JUSTICE. Without objection, it is so ordered.

There being no objection, at 3:28 p.m., the Senate, sitting as a Court of Impeachment, recessed until 3:56 p.m.; whereupon the Senate reassembled when called to order by the CHIEF JUSTICE.

The CHIEF JUSTICE. The House managers may resume if they are ready.

Mr. Manager NADLER. Mr. Chief Justice, Members of the Senate, before I begin, I would like to thank the Chief Justice and the Senators for their tem-

perate listening and their patience last night as we went into the long hours.

I truly thank you.

The House managers will now undertake to tell you the story of the President's Ukraine scheme. As we tell the story, it is important to note that the facts before us are not in dispute. There are no close calls. The evidence shows that President Trump unlawfully withheld military assistance, appropriated by Congress to aid our ally, in order to extort that government into helping him win his reelection, then tried to cover it up when he got caught.

This is the story of a corrupt, governmentwide effort that drew in Ambassadors, Cabinet officials, executive branch agencies, and the Office of the President. This effort threatened the security of Ukraine in its military struggle with Russia and compromised our own national security interests because the President cared only about his personal political interests.

In the spring of 2019, the people of Ukraine elected a new leader, Volodymyr Zelensky, who campaigned on a platform of rooting out corruption in his country. This pledge was welcomed by the United States and its allies, but the new government also threatened the work of President Trump's chief agent in Ukraine, Rudy Giuliani.

As President Zelensky was taking power, Mr. Giuliani was already engaged in an effort to convince Ukrainian officials to announce two sham investigations. The first was an effort to smear former Vice President Joe Biden. The second was designed to undermine the intelligence community's unanimous assessment that Russia interfered in the 2016 election.

One obstacle to Mr. Giuliani's work was Ambassador Marie Yovanovitch. A 33-year veteran of the Foreign Service, Ambassador Yovanovitch had partnered with Ukraine to root out the kind of corruption that would have allowed Mr. Giuliani's lies to flourish.

In order to complete his mission, Mr. Giuliani first needed Ambassador Yovanovitch out of the way. So in early 2019, Mr. Giuliani launched a public smear campaign against the Ambassador, an effort that involved Mr. Giuliani's allies in Ukraine, the President's allies in the United States, and, eventually, President Trump himself.

Please remember that the object of the President's Ukraine scheme was to obtain a corrupt advantage for his reelection campaign. As we will show, the President went to extraordinary lengths to cheat in the next election. That scheme begins with the attempt to get Ambassador Yovanovitch "out of the way."

By all accounts, Ambassador Yovanovitch was a highly respected and effective Ambassador. Witnesses uniformly praised her 33-year career as a nonpartisan public servant and told us that she particularly excelled in fighting corruption abroad. President

George Bush named her as an Ambassador twice, and President Obama nominated her as Ambassador to Ukraine, where she represented the United States from 2016 to 2019.

Eradicating corruption in Ukraine has been a key policy priority of the U.S. Government for years. During the House inquiry, the Ambassador explained why implementing this anticorruption policy was so important.

(Text of Videotape presentation:)

Ms. YOYANOVITCH. As critical as the war against Russia is, Ukraine's struggling democracy has an equally important challenge: Battling the Soviet legacy of corruption which has pervaded Ukraine's government.

Corruption makes Ukraine's leaders ever vulnerable to Russia, and the Ukrainian people understand that. That's why they launched the Revolution of Dignity in 2014, demanding to be a part of Europe, demanding the transformation of the system, demanding to live under the rule of law.

Ukrainians wanted the law to apply equally to all people, whether the individual in question is the President or any other citizen. It was a question of fairness, of dignity.

Here again, there is a coincidence of interests. Corrupt leaders are inherently less trustworthy while an honest and accountable Ukrainian leadership makes a U.S.-Ukrainian partnership more reliable and more valuable to the United States.

Mr. Manager NADLER. On the evening of April 24, 2019, Ambassador Yovanovitch was hosting an event at the U.S. Embassy, honoring the memory of an anticorruption fighter who had been killed when acid was thrown in her face the previous year. At about 10 that night, the Embassy event was interrupted by a telephone call from Washington. Ambassador Yovanovitch described this conversation with the head of the State Department's human resources department.

(Text of Videotape presentation:)

Ms. YOYANOVITCH. She said that there was great concern on the seventh floor of the State Department. That's where the leadership at the State Department sits. There was great concern. They were worried. She just wanted to give me a heads up about this. And, you know, things seemed to be going on, and so she just wanted to give me a heads up.

Mr. Manager NADLER. Confused, the Ambassador asked for more information from Washington. Three hours later they spoke again. Ambassador Yovanovitch learned that there were concerns about her "up the street"; that is, at the White House. The Ambassador was told to get on the first plane home.

Why was this respected career diplomat abruptly removed from her post? Why was she, in fact, urged by the State Department to catch the first plane home, that she was in danger, she shouldn't wait?

At the time, the White House would not say, but today we know the truth. The truth is that Ambassador Yovanovitch was the victim of a smear campaign organized by Rudy Giuliani, amplified by President Trump's allies, and designed to give President Trump the pretext he needed to recall her

without warning. Mr. Giuliani has admitted as much to the press.

In order to understand Mr. Giuliani's smear campaign against Ambassador Yovanovitch, you need to know about a few additional characters who Mr. Giuliani drew into his scheme.

The first of these characters is Viktor Shokin, the disgraced former prosecutor general of Ukraine, who was fired by the Ukrainian Government for gross corruption. In 2016, at the urging of the European Union, the International Monetary Fund, and the U.S. Government, the Parliament of Ukraine voted to remove Mr. Shokin as prosecutor general because he was corrupt and refused to prosecute corruption cases. The United States, the European Union, and the International Monetary Fund all urged the Ukraine Government to dismiss Mr. Shokin.

The second character is Yuriy Lutsenko, who succeeded Mr. Shokin as prosecutor general. Mr. Lutsenko also proved reluctant to prosecute corruption cases, and several witnesses testified that he also had a reputation for dishonesty and corruption. Ambassador Yovanovitch and Deputy Assistant Secretary George Kent both testified that the U.S. Embassy in Kyiv eventually stopped working with Mr. Lutsenko altogether.

Shokin, Lutsenko, and Giuliani—the goals of all three characters were aligned. Shokin had it out for Vice President Biden because of the role that the Vice President played in his 2016 firing. The Vice President, carrying out U.S. policy, urged the Ukrainian Government to dismiss the corrupt Shokin.

I note that the Vice President—the former Vice President—has been criticized for urging that he be fired.

Lutsenko found his career trajectory fading and wanted President Trump's support to boost his political prospects in Ukraine. Giuliani needed partners in Ukraine willing to announce two sham investigations meant to boost President Trump's own campaign. All three wanted Ambassador Yovanovitch out of the way.

So in early 2019, the smear campaign began. Mr. Lutsenko became the primary vector for false allegations against Ambassador Yovanovitch. Deputy Assistant Secretary George Kent testified that Lutsenko's allegations against Ambassador Yovanovitch were motivated by revenge.

(Text of Videotape presentation:)

Mr. KENT. Over the course of 2018 and 2019, I became increasingly aware of an effort by Rudy Giuliani and others, including his associates Lev Parnas and Igor Fruman, to run a campaign to smear Ambassador Yovanovitch and other officials at the U.S. Embassy in Kyiv. The chief agitators on the Ukrainian side of this effort were some of those same corrupt former prosecutors I had encountered, particularly Yuriy Lutsenko and Viktor Shokin. They were now peddling false information in order to extract revenge against those who had exposed their misconduct, including U.S. diplomats, Ukrainian anticorruption officials, and reform-minded civil society groups in Ukraine.

Mr. Manager NADLER. As Mr. Kent indicated, the smear campaign against Ambassador Yovanovitch was orchestrated by a core group of corrupt Ukrainian officials working at Mr. Giuliani's direction. This group included two additional characters who have been in the news of late—Lev Parnas and Igor Fruman. Mr. Parnas and Mr. Fruman were of course indicted last year on several charges, including charges related to large donations they made to support President Trump.

Simply put, in doing her job well, Ambassador Yovanovitch drew Mr. Lutsenko's ire, and, as Mr. Kent observed, "You can't promote principled anti-corruption efforts without pissing off corrupt people."

As it turned out, this statement applied to Yuriy Lutsenko and to Rudy Giuliani, who feared that the Ambassador would stand in the way of his corrupt efforts to coerce Ukraine into conducting investigations that would benefit the political interests of his client, President Trump.

Giuliani's coordinated smear campaign against Ambassador Yovanovitch became public in the United States in late March 2019, with the publication of a series of opinion pieces in *The Hill*, based on interviews with Lutsenko. On March 20, 2019, in one piece in *The Hill*, Lutsenko falsely alleged that Ambassador Yovanovitch had given him a so-called "do-not-prosecute list." Not only was the allegation false, but after having helped originate the claim, Lutsenko himself would later go on to retract it.

The same piece also falsely stated that Ambassador Yovanovitch had "made disparaging statements about President Trump." A statement issued by the State Department declared the allegations to be a total fabrication.

President Trump promoted Solomon's article in a tweet, which intensified the public attacks against Ambassador Yovanovitch. Then, on March 24, Donald Trump, Jr., called Ambassador Yovanovitch a "joker" on Twitter and called for her removal.

You can see the slides of the two tweets.

These unfounded smears by the President and his son reverberated in Ukraine. Deputy Assistant Secretary George Kent testified that "starting in mid-March," Rudy Giuliani was "almost unmissable" in this "campaign of slander." And according to Mr. Kent, Mr. Lutsenko's press spokeswoman retweeted Donald Trump, Jr.'s tweet attacking the Ambassador, further undermining her standing in Ukraine—her standing, the U.S. Ambassador's standing. Mr. Giuliani was not content to stay behind the scenes, either. He promoted the same attacks on the Ambassador on Twitter, FOX News, and elsewhere.

At the end of March, the attacks intensified. Ambassador Yovanovitch sent Under Secretary of State for Political Affairs David Hale an email detailing her concerns and asking for a

strong statement of support from the State Department. In reply, the State Department told her that they were unwilling to help her—their own Ambassador—because if they issued a public statement supporting her, “it could be undermined,” by the President and their concern that “the rug would be pulled out from underneath the State Department.”

The State Department cannot express support for an American Ambassador threatened abroad because they are concerned that if they express support for that American Ambassador, the rug will be pulled out from under them by the President. What it must have taken to convince our State Department to refuse support for its Ambassador.

Phone records show that Giuliani also kept the White House apprised of these developments, as you can see from these slides.

Again, it is worth remembering that smearing Ambassador Yovanovitch was a means to an end. Removing her would allow the President’s allies the freedom to pressure Ukraine to announce their sham investigations.

So we should talk for a few minutes about the investigations that Rudy Giuliani and his henchmen were promoting on behalf of the President.

Let’s focus first on the allegation that Ukraine, not Russia, interfered in our last Presidential election. In February 2017, shortly after the intelligence community—the CIA, the FBI, all the intelligence agencies of the United States—unanimously assessed that Russia interfered in the election to help Donald Trump, this alternative theory gained some attention when Russian President Putin promoted it at a press conference.

“Second,” he said—I am quoting from him. It is in the Russian on these slides, I think.

Second, as we all know, during the presidential campaign in the United States, the Ukrainian government adopted a unilateral position in favor of one candidate.

More than that, certain oligarchs, certainly with the approval of the political leadership funded this candidate, or female candidate, to be more precise.

That is President Putin talking, shifting the blame to Ukraine.

Dr. Fiona Hill best explained how the Ukraine narrative is a fictional narrative being propagated by the Russian security services.

(Text of Videotape presentation:)

Ms. HILL. Based on questions and statements I have heard, some of you on this committee appear to believe that Russia and its security services did not conduct a campaign against our country and that perhaps, somehow for some reason, Ukraine did. This is a fictional narrative being perpetrated and propagated by the Russian security services themselves.

The unfortunate truth is that Russia was the foreign power that systematically attacked our democratic institutions in 2016. This is the public conclusion of our intelligence agencies confirmed in bipartisan and congressional reports. It is beyond dispute, even if some of the underlying details must remain classified.

The impacts of the successful 2016 Russian campaign remain evident today. Our Nation is being torn apart. The truth is questioned. Our highly professional, expert career Foreign Service is being undermined. U.S. support for Ukraine which continues to face armed Russian aggression is being politicized. The Russian Government’s goal is to weaken our country, to diminish America’s global role, and to neutralize a perceived U.S. threat to Russian interests.

Mr. Manager NADLER. President Trump knew this too. His former Homeland Security Advisor, Tom Bossert, said that the idea that Ukraine hacked the DNC server was “not only a conspiracy theory, it is completely debunked,” and he and other U.S. officials spent hours with the President explaining why.

The second false allegation that the President wanted the Ukrainians to announce was that Vice President Biden used his power to protect a company on whose board his son sat by forcing the removal of Viktor Shokin, the corrupt former prosecutor general.

It is true that Vice President Biden helped remove Mr. Shokin, who was widely believed to be corrupt. As I said a few minutes ago, it was official policy of the United States, the European community, and others, in order to fight corruption in Ukraine, to ask that Shokin and Lutsenko be removed. So the Vice President, Vice President Biden, in fulfilling U.S. policy, pressured Ukraine to remove Shokin—not to secure some personal benefit but to advance the official policy of the United States and its allies. Even Lutsenko, who initially seeded the allegations against Mr. Biden in American media, later admitted that the allegations against the Vice President were false. And Rudy Giuliani told Kurt Volker, the Special Representative for Ukrainian Negotiations, who had a prominent role in the scheme, that he also knew the attacks on Joe Biden were a lie.

With Ambassador Yovanovitch out of the way, the first chapter of the Ukraine scheme was complete. Mr. Giuliani and his agents could now apply direct pressure to the Ukrainian Government to spread these two falsehoods.

Who benefited from this scheme? Who sent Mr. Giuliani to Ukraine in the first place? Of course we could rephrase that question as the former Republican leader of the Senate, Howard Baker, asked it in 1973: What did the President know, and when he did he know it?

Ms. Manager GARCIA of Texas. Mr. Chief Justice, Senators, President’s counsel: President Trump and President Zelensky’s relationship started out well. President Trump wanted the two investigations from Zelensky, and he had no reason to believe he would not get what he wanted.

On April 21, 2019, Volodymyr Zelensky, who was new to politics, won a landslide victory in Ukraine’s Presidential election. That evening, President Trump called Zelensky to con-

gratulate him. On that first call—the first call—Zelensky invited President Trump to visit Ukraine for the upcoming inauguration. President Trump, in turn, promised that his administration would send someone at “a very, very high level.”

During that same April call, President Trump invited President Zelensky to the White House, saying:

When you’re settled in and ready, I’d like to invite you to the White House. We’ll have a lot of things to talk about, but we’re with you all the way.

Zelensky immediately accepted the President’s invitation, adding that the “whole team and I are looking forward to that visit.”

Numerous witnesses testified about the significance of a White House meeting for the political newcomer. A White House meeting would show Ukrainians that America supported Zelensky’s anti-corruption platform. The clear backing of the President of the United States—Ukraine’s most important patron—would also send a powerful message to Russia that we had Ukraine’s back.

During that April 21 call, President Trump never even uttered the word “corruption,” but the official White House call recap falsely stated that the two Presidents had discussed Ukraine’s anti-corruption efforts.

Shortly after the phone call, Jennifer Williams, adviser to Vice President PENCE, learned that President Trump asked Vice President PENCE to attend Zelensky’s inauguration.

Williams and her colleagues began planning Pence’s trip to Kyiv. At the same time, Giuliani was trying to get Ukraine to investigate the Bidens and alleged 2016 election interference. On April 24, Giuliani went on “FOX & Friends” and had this to say:

(Text of Videotape presentation:)

Keep your eye on Ukraine, because in Ukraine a lot of dirty work was done. I’m digging up the information. American officials were used. Ukrainian officials were used. That is like collusion with the Ukrainians and—or actually, in this case, conspiracy with the Ukrainians. I think you’d get some interesting information about Joe Biden from Ukraine. About his son, Hunter Biden. About a company he was on the board of for years, which may be one of the most crooked companies in Ukraine.

Ms. Manager GARCIA of Texas. For this campaign to be truly beneficial to his boss President Trump, Giuliani needed access to the new government in Ukraine. He dispatched his associates Lev Parnas and Igor Fruman to try to make inroads with Zelensky’s team.

On April 25, former Vice President Biden publicly announced his bid for Presidency, and immediately he was at the top of the polls.

That same day, David Holmes, an American diplomat at our Embassy in Ukraine, learned that Giuliani had reached out to the head of President Zelensky’s campaign. As Mr. Holmes explained, the new Ukrainian Government began to think that Giuliani

“was a significant person in terms of managing their relationship with the United States.”

As Giuliani and his associates worked behind the scenes to get access to the new leadership in Ukraine, President Trump was publicly signaling his interest in the investigations. On May 2, the President appeared on FOX News. When asked, “Should the former vice president explain himself on his feeling in Ukraine and whether there was a conflict . . . with his son’s business interests?” President Trump replied as follows:

(Text of Videotape presentation:)

I’m hearing it’s a major scandal, major problem. Very bad things happened, and we’ll see what that is. They even have him on tape, talking about it. They have Joe Biden on tape talking about the prosecutor. And I’ve seen that tape. A lot of people are talking about that tape, but that’s up to them. They have to solve that problem.

Ms. Manager GARCIA of Texas. The tape President Trump referenced is a video from January 2018 in which Vice President Biden explained that he placed an ultimatum to the Ukrainian President to remove the corrupt prosecutor general to ensure that taxpayer money would be used appropriately. The Vice President’s actions were consistent with official U.S. policy as well as the opinions of the international community.

On May 9, the New York Times published an article about Giuliani’s plan to visit Ukraine. In the article, Giuliani confirmed that he planned to meet with Zelensky. At that meeting, he wanted to press the Ukrainian Government to pursue the investigations that President Trump promoted only days earlier. Giuliani said: “We’re not meddling in an election, we are meddling in an investigation, which we have a right to do.”

Giuliani even went so far as to acknowledge that his actions could benefit President Trump personally. He said: “[T]his isn’t foreign policy—I’m asking them to do an investigation that they’re doing already and that other people are telling them to stop. And I am going to give them reasons why they shouldn’t stop it because that information will be very, very helpful to my client, and may turn out to be helpful to my government.”

That is it right there—Giuliani admitting he was asking Ukraine to work an investigation that would be “very, very helpful” to the President. He was not doing foreign policy. He was not doing this on behalf of the government. He was doing this for the personal interests of his client, Donald J. Trump.

The next morning, on May 10, amid coverage of his planned trip to Ukraine, Giuliani tweeted further about Biden and then had a flurry of calls with Parnas, who was helping in planning his trip to Ukraine.

That same day, Giuliani also spoke with Ambassador Volker on the phone for more than 30 minutes. Ambassador Volker had learned that Giuliani had

intended to travel to Ukraine and had called to warn Giuliani that Prosecutor General Lutsenko “is not credible. Don’t listen to what he is saying.”

Later that day, Giuliani had a 17-minute call with a masked White House number before speaking again with Parnas for 12 minutes.

That same day, on May 10, Politico asked President Trump about Giuliani’s upcoming trip, and he replied, “I have not spoken to him at any great length, but I will. . . . I will speak to him about it before he leaves.” But that evening, on FOX News, Giuliani announced: “I’m not going to go” to Ukraine “because I think I’m walking into a group of people that are enemies of the President.” Separately, in a text message to “Politico,” Giuliani alleged that the original offer for a meeting with Zelensky was a “set-up.” He said it was a set-up orchestrated by “several vocal critics” of President Trump who were advising Zelensky. Giuliani declared that “Zelensky is in [the] hands of avowed enemies of President Trump.”

But Giuliani had not stopped trying. He had Parnas send a letter to Zelensky’s senior aide on May 11 asking for a meeting. That letter made it clear that Giuliani was representing President Trump as “a private citizen” and that he was working with President Trump’s “knowledge and consent.”

The letter is on the slide. It reads:

In my capacity as personal counsel to President Trump and with his knowledge and consent, I request a meeting with you on this upcoming Monday, May 13, or Tuesday, May 14. I will need no more than a half-hour of your time and I will be accompanied by my colleague Victoria Toensing, a distinguished American attorney who is very familiar with the matter.

But it did not appear that Giuliani and Parnas’s attempts to get the meeting were working. That same day, Giuliani sent a text message to Parnas asking, “This guy is canceling meeting, I think?” Approximately 3 hours later, Giuliani sent Parnas drafts of a public statement that “people advising the PRES ELECT are no friends of the President.”

Three days later, President Trump instructed Vice President PENCE not to attend the inauguration in Ukraine—just 3 days later. Vice Presidential staffer Jennifer Williams received a surprising call from PENCE’s Chief of Staff. She described it during her public testimony.

(Text of Videotape presentation:)

On May 13th, an assistant to the Vice President’s chief of staff called and informed me that President Trump had decided that the Vice President would not attend the inauguration in Ukraine. She did not provide any further explanation. I relayed that instruction to others involved in planning the potential trip. I also informed the NSC that the Vice President would not be attending, so that it could identify a head of delegation to represent the United States at President-elect Zelensky’s inauguration.

Ms. Manager GARCIA of Texas. Notably, Williams confirmed that the inau-

guration date had not yet been scheduled at the time of that phone call. So the reason for President Trump’s decision was certainly not due to a scheduling conflict.

Secretary of Energy Rick Perry ultimately led the delegation to the inaugural. Accompanying Secretary Perry were Ambassador to the European Union, Gordon Sondland; Ambassador Volker; NSC Director for Ukraine, LTC Alexander Vindman; and Senator RON JOHNSON also attended many of the inaugural events with the delegation. When asked if this delegation was a good group, Holmes replied that it “was not as senior a delegation as we might have expected.”

After the inauguration, Ambassadors Volker and Sondland left Kyiv with a very favorable impression of President Zelensky. Ambassador Volker said they believed it was important that President Trump personally engage with the President of Ukraine in order to demonstrate full U.S. support for him.

When the inauguration team returned to the United States, they had a meeting with President Trump on May 23. The May 23 meeting with President Trump proved to be important for two good reasons. First, with Ambassador Yovanovitch out of the way, President Trump authorized Ambassador Sondland, Secretary Perry, and Ambassador Volker to lead engagement with the new administration in Ukraine; and two, President Trump instructed them to satisfy Giuliani’s concerns in order to move forward on Ukraine matters.

These officials were all political appointees, and Ambassador Sondland had donated \$1 million to the President’s inauguration. The President saw these three political appointees as officials who would fulfill his requests.

Ambassador Volker testified that he, Ambassador Sondland, Secretary Perry, and Senator JOHNSON took turns making their case that this is a new crowd. It is a new President in Ukraine. He is committed to doing the right things, including fighting corruption. They recommended that President Trump follow through on his invitation for President Zelensky to meet with him in the Oval Office, but President Trump did not receive the recommendation well.

At his public hearing, Ambassador Volker described the May 23 Oval Office meeting with President Trump. Let’s listen.

(Text of Videotape presentation:)

Ambassador VOLKER. We stressed our finding that President Zelensky represented the best chance for getting Ukraine out of the mire of corruption it had been in for over 20 years. We urged him [President Trump] to invite President Zelensky to the White House. The President was very skeptical. Given Ukraine’s history of corruption, that’s understandable. He said that Ukraine was a corrupt country, full of terrible people. He said, “They tried to take me down.” In the course of that conversation, he referenced conversations with Mayor Giuliani. It was

clear to me that despite the positive news and recommendations being conveyed by this official delegation about the new President, President Trump had a deeply rooted negative view on Ukraine rooted in the past. He was receiving other information from other sources, including Mayor Giuliani, that was more negative, causing him to retain this negative view.

Ms. Manager GARCIA of Texas. Witnesses said the reference to “taking me down” was to unfounded allegations that Ukraine had interfered in the 2016 election. This was what President Trump considered to be corruption in Ukraine.

The President’s words echoed Giuliani’s public statements about Ukraine in early May. Rather than committing to an Oval Office meeting with the Ukrainian leader, President Trump directed the delegation to talk to Giuliani. Here is how Ambassador Sondland described that instruction from the President.

(Text of Videotape presentation:)

Ambassador SONDLAND. If we wanted to get anything done with Ukraine, it was apparent to us we needed to talk to Rudy.

GOLDMAN. Right. You understood that Giuliani spoke for the President, correct?

Ambassador SONDLAND. That’s correct.

Ms. Manager GARCIA of Texas. Ambassador Sondland saw the writing on the wall. Sondland concluded that if we did not talk to Rudy, nothing would move forward on Ukraine.

The three amigos, as they called themselves, did as the President ordered and began talking to Giuliani. Dr. Hill testified Volker, Sondland, and Perry “gave us every impression that they were meeting with Rudy Giuliani at this point, and Rudy Giuliani was also saying on the television, and indeed had said subsequently, that he was closely coordinating with the State Department.”

Like Dr. Hill, Ambassador Bolton closely tracked Giuliani’s Ukraine-related activities. Hill testified about a conversation she had with Bolton in May of 2019. That conversation was revealing, so let’s listen.

(Text of Videotape presentation:)

Dr. HILL. . . . And I had already brought to Ambassador Bolton’s attention the attacks, the smear campaign against Ambassador Yovanovitch and expressed great regret about how this was unfolding and, in fact, the shameful way in which Ambassador Yovanovitch was being smeared and attacked.

And I had asked him if there was anything we could do about it, and Ambassador Bolton had looked pained, basically indicated with body language that there was nothing much we could do about it. And he then in the course of that discussion said that Rudy Giuliani was a hand grenade that was going to blow everyone up.

GOLDMAN. Did you understand what he meant by that?

Dr. HILL. I did, actually.

GOLDMAN. What did he mean?

Dr. HILL. Well, I think he meant that obviously what Mr. Giuliani was saying was pretty explosive, in any case. He was frequently on television making quite incendiary remarks about everyone involved in this and that he was clearly pushing forward issues and ideas that would, you know, prob-

ably come back to haunt us. And, in fact, I think that that’s where we are today.

Ms. Manager GARCIA of Texas. According to Dr. Hill’s description, Bolton said that Giuliani’s influence could be an obstacle to increased White House engagement with Ukraine. He instructed his staff not to meet with Giuliani.

In June, Volker and Sondland relayed to Ambassador Taylor that President Trump wanted to hear from Zelensky before scheduling the meeting in the Oval Office. Ambassador Taylor testified that he did not understand at the time what that meant.

Around this time, the President publicly expressed that he thought it would be OK to accept foreign interference to assist his campaign if it was in the form of opposition research on his opponent. Let’s listen to that shocking interview.

(Text of Videotape presentation:)

STEPHANOPOULOS. Your campaign this time around, if foreigners, if Russia, if China, if someone else offers you information on opponents, should they accept it or should they call the FBI?

PRESIDENT TRUMP. I think maybe you do both. I think you might want to listen, there’s nothing wrong with listening. If somebody called from a country, Norway, “we have information on your opponent.” Oh, I think I’d want to hear it.

STEPHANOPOULOS. You want that kind of interference in our elections?

PRESIDENT TRUMP. It’s not an interference, they have information. I think I’d take it.

Ms. Manager GARCIA of Texas. Shocking video. Meanwhile, Giuliani continued to press Ukraine to do the President’s political dirty work. On June 21, for instance, Giuliani tweeted the following:

New Pres of Ukraine still silent on investigation of Ukrainian interference in 2016 election and alleged Biden bribery of Pres Poroshenko. Time for leadership and investigate both if you want to purge how Ukraine was abused by Hillary and Obama people.

The quid pro quo scheme was taking shape. Giuliani was publicly advocating for Ukraine to conduct politically motivated investigations while President Trump refused to schedule an Oval Office meeting for Ukraine’s new President. As Ambassador Sondland testified, the scheme to pressure Ukraine to conduct these investigations would only get more insidious with time.

Mr. Manager CROW. Mr. Chief Justice, the majority leader expressed a preference for a break about 2 hours in. So it is the House managers’ request that I present, and then we take the break, if that is acceptable for everybody.

The CHIEF JUSTICE. Any objection? Move forward.

Mr. Manager CROW. Mr. Chief Justice, Members of the Senate, counsel for the President, and the American people, where were you on July 25, 2019? It was a Thursday. Members of the U.S. Senate were here in this Chamber. On July 25, across the Atlan-

tic, our 68,000 troops stationed throughout Europe were doing what they do every day—training and preparing to support our allies and defend against Russia.

The professionalism and sacrifice of our men and women in uniform is a source of great strength, but America is also strong and America is also secure because we have friends. On July 25, 2019, one of those friends was a man named Oleksandr Markiv. In a story told by Sabra Ayers of the Los Angeles Times, Oleksandr was a soldier in the Ukrainian Army defending his country and Europe against Russian-backed forces on Ukraine’s eastern front. He was in a trench. He was 38 years old. Oleksandr would later die defending his country during a mortar attack on his fighting position, giving his life, just like over 13,000 of his fellow Ukrainians, on the frontlines of the fight for liberty in Europe.

That same Los Angeles Times article painted a picture of what the Ukrainians were going through during this time.

Tens of thousands of Ukrainians, like Markiv, volunteered to help fight the Russian-backed separatists in the east. Many of them were sent to the front line wearing sneakers and without flak jackets and helmets, let alone rifles and ammunition. Ukrainians across the country organized in an unprecedented united civil movement not seen since World War II to raise money to supply their ragtag military with everything from soldiers’ boots to bullets.

And while our friends were at war with Russia wearing sneakers, some without helmets, something else was happening. On July 25, President Trump made a phone call. He spoke with Ukrainian President Zelensky and asked for a favor. On that same day, just hours after his call, his administration was quietly placing an illegal hold on critical military aid to support our friends.

So why should any American care about what is happening in Ukraine? Timothy Morrison, former senior director for Europe and Russia at the NSC put it bluntly:

(Text of Videotape presentation:)

Timothy MORRISON. I continue to believe Ukraine is on the front lines of a strategic competition between the West and Vladimir Putin’s revanchist Russia. Russia is a falling power, but it is still a dangerous one. The United States aids Ukraine and her people so that they can fight Russia over there, and we don’t have to fight Russia here. Support for Ukraine’s territorial integrity and sovereignty has been a bipartisan objective since Russia’s military invasion in 2014. It must continue to be.

Mr. Manager CROW. We help our partner fight Russia over there so we don’t have to fight Russia here—our friends on the frontlines, in trenches, and with sneakers.

Following Russia’s invasion of Ukraine in 2014, the United States has stood by Ukraine. Our diplomats and military commanders have long said

that supporting Ukraine makes us safer. But you don't need me to tell you that; you all know it very well. When the funding for the security assistance came up for a vote under this roof, 87 of you voted for the aid.

Many of you have been staunch advocates for Ukraine, working in a non-partisan way to support our friends. That support makes a lot of sense because politics should not play a part in ensuring that Ukraine can battle Russian aggression and ensure that freedom wins in Europe. This body has, in so many ways, set that example.

Protecting Europe from Russia is not a political game. Let me provide some background. In early 2014, in what became known as the Revolution of Dignity, Ukrainian citizens demanded democratic reforms and an end to corruption, ousting the pro-Russian President. Within days, Russian military forces and their proxies invaded Ukraine, annexing Crimea and occupying portions of eastern Ukraine.

Since 2014, more than 13,000 Ukrainians have been killed because of the conflict and over 1.4 million have been forced from their homes.

Russia's invasion of Ukraine is the first attempt to redraw Europe's border since World War II.

In 2017, then-Secretary of Defense James Mattis summed it up well. He said: "Despite Russia's denials, we know they are seeking to redraw international borders by force, undermining the sovereign and free nations of Europe."

And as Ambassador Taylor put it, Russian aggression in Ukraine "dismissed all the principles that have kept the peace and contributed to prosperity in Europe since World War II."

It is clear that Russia is not just a threat in Europe but for democracy and freedom around the world. Our friends and allies have also responded, imposing sanctions on Russia and providing billions of dollars in economic, humanitarian, and security assistance to Ukraine. This has been an international effort.

Today, the European Union is the single largest contributor of foreign assistance to Ukraine, having provided roughly \$12 billion in grants and loans since 2014. The United States has provided over \$3 billion in assistance in that time, because we all know that we can't separate our own security from the security of our friends and allies. That is why the United States has provided economic security and humanitarian assistance in the form of equipment and training.

Ambassador Taylor testified that American aid is a concrete demonstration of our "commitment to resist aggression and defend freedom." He also detailed the many benefits of our assistance for Ukraine's forces.

(Text of Videotape presentation:)

Ambassador TAYLOR. Mr. Chairman, the security assistance that we provide takes many forms. One of the components of that assistance is counter-battery radar. Another component are sniper weapons.

These weapons and this assistance allows the Ukrainian military to deter further incursions by the Russians against their own—against Ukrainian territory. If that further incursion, further aggression, were to take place, more Ukrainians would die. So it is a deterrent effect that these weapons provide.

It's also the ability—it gives the Ukrainians the ability to negotiate from a position of a little more strength when they negotiate an end to the war in Donbas, negotiating with the Russians. This also is a way that would reduce the number of Ukrainians who would die.

Mr. Manager CROW. I would like to make a finer point of how this type of aid helps because I know something about counter-battery radar.

In 2005, I was an Army Ranger serving in a special operations task force in Afghanistan. We were at a remote operating base along the Afghan-Pakistan border. Frequently, the insurgency that we were fighting would launch rockets and missiles onto our small base. But, luckily, we were provided with counter-battery radar. So 20, 30, 40 seconds before those rockets and mortars rained down on us, an alarm would sound. We would run out from our tents and jump into our concrete bunkers and wait for the attack to end. This is not a theoretical exercise, and the Ukrainians know it, for Ukraine aid from the United States actually constitutes about 10 percent of their military budget. It is safe to say that they can't fight effectively without it.

So there is no doubt. U.S. military assistance in Ukraine makes a real difference in the fight against Russia.

In 2019, Congress provided \$391 million in security assistance. This included \$250 million through the Department of Defense's Ukraine Security Assistance Initiative, USAI, and \$141 million through the State Department's Foreign Military Financing Program, FMF.

President Trump signed the bill to authorize this aid in August 2018 and signed another bill to fund it the following month. The aid was underway. The train was leaving the station and following the same track it had followed every single year. But all of this was about to change.

In July of 2019, President Trump ordered the Office of Management and Budget, OMB, to put a hold on all of the aid. The President personally made this decision even after his own appointed advisers warned him that it wasn't in our country's interest to withhold the aid—after overwhelming support in this Senate—and against longstanding policy, even in his own administration.

But what is most interesting to me about this is that he was only interested in the Ukraine aid, nobody else. The United States provides aid to dozens of countries around the world, lots of partners and allies. He didn't ask about any of them—just Ukraine.

The most important question here is why would he do that? What was his motivation? Well, we now know why.

This hold shocked people across our own government. The Department of

Defense, along with the State Department, had already certified to Congress that Ukraine had implemented sufficient anti-corruption reforms to get the funds, and the Defense Department had already notified Congress of its intent to deliver the assistance.

So let's recap all of this. Congress had already funded it. Our own government had already certified that it met all of the standards that it met every other year, and Congress had already been notified, just like every other year.

In a series of meetings of the National Security Agency, everyone except the OMB supported the provision of the assistance. OMB, as we know, is headed by Mick Mulvaney, the President's Chief of Staff.

Ukraine experts at DOD, the State Department, and the White House emphasized that it was in the national security interest of the United States to continue to support Ukraine in its fight. But it wasn't just the national security concern, because many people thought that the hold was just outright illegal. And they were right. It was.

The President's hold did violate the law, because just last week, Congress's independent, nonpartisan watchdog, the Government Accountability Office, released an opinion finding that the hold was illegal.

President Trump held the military aid money for so long that the administration ran out of time to spend the money. Ultimately, even after the President lifted the hold on September 11—again, with no clear explanation why—we, the Congress, had to pass another law to extend the deadline, delaying the delivery of the aid.

In the same L.A. Times article that told the story about our friend Mr. Markiv, a Ukrainian defense spokesperson said that even though the hold had been lifted—this was in September—it "has not reached us yet." That spokesperson went on to say: "It is not just money from the bank. It is arms, equipment and hardware."

And to this day, millions of dollars still haven't been spent.

Although our government neither informed Ukraine of the hold nor publicly announced it, Ukraine quickly learned about it.

On July 25, the same day as President Trump's call with President Zelensky, officials at Ukraine's Embassy here in Washington emailed DOD to ask about the status of the funding. By mid-August, officials at DOD, the State Department, and the NSC received numerous questions from Ukrainian officials about the hold. Everyone was worried. It is not just because of the urgent need for the equipment on the frontlines but also because of the message that it sent. You see, President Zelensky had just been sworn in. They were very vulnerable. And, as we all know, Vladimir Putin looks for vulnerability. He looks for hesitation. He looks for delay. And any public sign of a hold on that aid could be a sign of

weakness that could show him it was time to pounce.

President Trump's hold on Ukraine assistance was eventually publicly reported on August 28. As we will explain, Ukraine fully understood that the hold was connected to the investigations that President Trump wanted.

On February 28, DOD notified Congress that it intended to deliver \$125 million of assistance appropriated in September, including "more than \$50 million of assistance to deliver counter-artillery radars and defense lethal assistance." Congress cleared the notification, which enabled DOD to begin spending the funds.

For Ukraine to receive the remaining \$125 million, Congress required that the Secretary of Defense, in coordination with the Secretary of State, certify that the Government of Ukraine had taken substantial anti-corruption reforms.

Deputy Assistant Secretary of Defense Laura Cooper and senior officials across our government conducted a review to evaluate whether Ukraine had met the required benchmarks.

Ms. Cooper explained that the review involved "pulling in all the views of the key experts on Ukraine defense, and coming up with a consensus view," which was then run "up the chain in the Defense Department, to ensure we have approval."

By May 23, the anti-corruption review was complete, and DOD certified to Congress that Ukraine had complied with all of the conditions and that the remaining half of the aid should be released. But, again, you don't have to take my word for it. On May 23, in a letter to Congress, one of President Trump's senior political appointees, the Under Secretary of Defense for Policy, wrote: "On behalf of the Secretary of Defense, and in coordination with the Secretary of State, I have certified that the Government of Ukraine has taken substantial actions to make defense institutional reforms for the purposes of decreasing corruption, increasing accountability, and sustaining improvements of combat capability enabled by U.S. assistance."

Congress then cleared the funding, which should have allowed Ukraine to receive the aid. But we know that is not what happened.

On June 18, as DOD was preparing to send the aid, they issued a press release—as they normally do—announcing that it would provide \$250 million in security assistance to Ukraine "for additional training, equipment, and advisory efforts to build the capacity of Ukraine's armed forces." This included sniper rifles, rocket-propelled grenades, counter-artillery radars, command and control, electronic warfare, secure communications, vehicles, night vision, and medical equipment. However, according to the New York Times, 1 day after the Defense Department issued this press release—1 day—Assistant to the President Robert

Blair, who works for Mick Mulvaney, called OMB Acting Director Russell Vought to tell him: "We need to hold it up." The "it" was the assistance.

That same day, June 19, President Trump gave an interview on FOX News where he raised the so-called CrowdStrike conspiracy theory that Ukraine, not Russia, had interfered in the 2016 election, a line he would echo during his July 25 call with President Zelensky. This theory, by the way, has been advanced by Russian propaganda to try to take attention away from Russian interference and shift it onto Ukraine. It is a theory that has been universally debunked by U.S. intelligence and law enforcement.

Nonetheless, the President, spurred by the June 18 press release and with the false theory about the Ukraine interference, supposedly, in the 2016 election, started asking about the Ukraine assistance. On June 19, OMB Associate Director for National Security Michael Duffey emailed Elaine McCusker, the DOD comptroller. He said the President had questions about the press report and that he was seeking additional information. This was a reference to an article in the Washington Examiner, shown here on the slide in front of you.

The White House withheld this email from the House, of course. We first learned of it from Duffey's deputy, Mark Sandy, who testified that he was copied on it. Subsequently, as a result of a lawsuit under the Freedom of Information Act, the public and, therefore, Congress received a copy of that email, but the White House still refuses to comply with the subpoenas for this and other documents.

On June 20, McCusker responded to President Trump's inquiry by providing Sandy information on the security assistance program. Sandy shared the information with Duffey, but he did not know whether Duffey shared the information with the White House. Laura Cooper also recalled receiving an email inquiry about Ukraine's security assistance "a few days" after DOD's June 18 press release. She noted that it was "relatively unusual" to receive questions from the President. In response, DOD provided materials explaining that the \$250 million funding package was for additional training, equipment, and advisory efforts to build the capacity of Ukraine's Armed Forces. DOD emphasized that "almost all of the dozens of vendors are U.S. companies," meaning that this funding also benefited U.S. businesses and workers.

Nonetheless, President Trump put the wheels in motion to freeze the funds shortly after learning about DOD's plan to release the funds. According to a New York Times article on June 27, Chief of Staff Mulvaney emailed Blair:

I am just trying to tie up some loose ends. Did we ever find out about the money from Ukraine and whether we can hold it back?

Blair reportedly responded that it would be possible but not pretty. He

added: "Expect Congress to become unhinged." I suppose he said that for all the reasons we have talked about earlier, because this Chamber and our Chamber on the other side of the Capitol resoundingly supports it.

And that was just the Defense Department assistance to Ukraine. For 2019, Congress also appropriated \$141 million to Ukraine through the State Department. Unlike the Defense Department funding, which was approved by Congress and ready to be spent, OMB blocked the State Department from even seeking Congress's approval to release the funds.

I am going to pause here to, once again, stress that we have learned a lot about the circumstances around the initial hold only from the public release of and reporting about these emails in the past few weeks. The White House has refused to provide these emails in response to a subpoena.

Mick Mulvaney and Rob Blair refused to comply with the subpoena to testify. These emails are just a few of the many thousands that likely exist on this topic but which have been concealed from Congress and the American people because of ongoing obstruction. In fact, last night, as we were here late into the night, sometime around midnight, a new tranche of documents were released under a Freedom of Information Act request by an independent watchdog that had been asking for them—they were released last night—between Mr. Duffey and Elaine McCusker, and others, on the things that I am talking about right now. Unfortunately, as you can see, there isn't a lot to read here because it is all blacked out. So, if the President's lawyers contest any of the facts that I am talking about, you should demand to see the full record. The American people deserve to see the full truth when it comes to Presidential actions.

Back to the timeline, from July to September of 2019, the President and his advisers at the White House and OMB implemented the hold on Ukraine assistance through an unusual and unlawful process. First, on July 3, the State Department notified DOD and NSC staff that OMB was blocking its notification to Congress. According to Jennifer Williams, Vice President PENCE's aide, the hold on this assistance "came out of the blue" because it had not been previously discussed by OMB or NSC.

Around July 12, President Trump directed that a hold be placed on the DOD security assistance as well. That day, Mr. Blair sent an email to Duffey at OMB informing him "that the President is directing a hold on military support funding for Ukraine."

Around July 15, Tim Morrison learned from Deputy National Security Advisor Charles Kupperman "that it was the President's direction to hold the assistance." Several days later, Duffey and Blair again exchanged emails about Ukraine's security assistance, and Sandy testified that, in these

emails, Duffey asked Blair about the reason for the hold. Blair provided no explanation. Instead, he said: “We need to let the hold take place” and then “revisit” the issue with the President.

Between July 18 and July 31, the NSC staff convened several interagency meetings at which the hold on security assistance was discussed. Remember those dates: July 18 to July 31. According to Mark Sandy and other witnesses, several facts emerged. First, the agencies learned that the President himself had directed the hold through OMB. Second, no justification or explanation was provided for the hold, despite repeated questions. Third, except for OMB, all agencies were supporting military aid because it was in the national security interests of the United States. And fourth, many were concerned that the hold was outright illegal.

Ambassador Taylor learned of the hold on July 18. He said the “directive had come from the President to the Chief of Staff to OMB” and that he “sat in astonishment” because “one of the key pillars of our strong support for Ukraine was threatened.”

David Holmes, a diplomat at the U.S. Embassy in Kyiv, testified that he was shocked by the hold. Although there was initially some question as to whether the hold applied to DOD funds, which was already cleared by Congress, it soon became clear that the hold applied to all \$391 million.

Tim Morrison testified that DOD officials raised concerns at a meeting on July 23 about whether it was “actually legally permissible for the President to not allow for the disbursement of the funding.” These concerns related to possible violations of the Impoundment Control Act, the law that gives a President the authority to delay or withhold funds only if Congress is notified of those intentions and approves the proposed action. Of course, neither of those things had been done. The issue was escalated quickly, and at a senior-level meeting on July 26, OMB remained the lone voice for holding the aid. According to Tim Morrison, OMB said that President Trump was concerned about corruption in Ukraine. Cooper, from DOD, also attended the July meeting. She received no further understanding of what was meant by “corruption.” There was never a principals meeting convened on this issue, but there was a fourth and final interagency meeting on July 31. Remember that date? A fourth and final one.

There is a process for making sure that U.S. aid money makes it to the right place, to the right people.

Mr. Chief Justice, I do see a lot of Members moving and taking a break. Would you like to take a break at this time? I have another, probably, 15 minutes.

The CHIEF JUSTICE. I think we can continue.

Mr. McCONNELL. Mr. Chief Justice, if I may, what I was going to suggest was that at 6:30 we take a 30-minute break for dinner, if that would work.

The CHIEF JUSTICE. So break at 6:30?

Mr. McCONNELL. Yes. What I was going to suggest is a break for dinner at 6:30 for about 30 minutes, if that works.

The CHIEF JUSTICE. That is a good idea.

Mr. Manager CROW. So we know there was a hold, but there was no lawful way to implement that hold. So the OMB had to use creative methods. There is a process for making sure that U.S. aid money makes it to the right place, to the right people—a process that had been followed every year since the Congress approved security assistance to Ukraine. The administration needed to find a creative way of getting around that process. Later in the evening of July 25, the OMB found that way, even though DOD had already notified Congress that the funds would be released.

Here is how it worked. First, OMB issued guidance asserting that there was an ongoing review of assistance, even though none of the witnesses who testified were aware of any review of assistance. Second, OMB also attempted to hide the hold in a series of technical footnotes in funding documents. And third, OMB’s leadership also transferred responsibility for approving funding obligations from career civil servant Mark Sandy to a political appointee, Mark Duffey, someone with no relevant experience in this funding.

Based on recent public reporting and documents DOD released under the Freedom of Information Act, we learned that on July 25, approximately 90 minutes after President Trump’s phone call with President Zelensky, Mr. Duffey put this three-pronged plan into motion when he sent an email to senior DOD officials, copying Sandy. The email is in front of you. In this email, Duffey stated: Based on guidance I have received and in light of the administration’s plan to review assistance to Ukraine, please hold off on any additional DOD obligations of these funds, pending direction from that process. Duffey also underscored: “Given the sensitive nature of the request, I appreciate your keeping that information closely held to those who need to know to execute the direction.” In other words, don’t tell anybody about it.

Later that day, Sandy approved and signed the first July 25 funding document, which delayed funding until August 5. Sandy testified that the purpose of this and subsequent footnotes “was to preclude obligation for a limited period of time but enable planning and casework to continue.” Sandy also testified that his use of footnotes was unusual and that, in his 12 years of OMB experience he could “not recall another event like it.”

On July 29, Duffey told Sandy he would no longer be responsible for approving the release of DOD Ukraine funding. This was only weeks after

Sandy had raised questions about the legality of the President’s hold. Duffey also revoked the authority for approving the release of the State Department funding from Sandy’s colleague at OMB. In short, Duffey assumed approval authority for all \$391 million of the assistance.

Over the next several weeks, with Duffey in charge, OMB continued to issue funding documents that kept kicking the can down the road, supposedly to allow for an interagency process—and, remember, an interagency process that had already wrapped up back in July—while inserting the whole time footnotes throughout the apportionment documents stating that the delay wouldn’t affect the program. Yet concerns continued to be relayed within DOD that it had.

In total, OMB issued nine of these documents between July 25 and September 10. Even as OMB was implementing the President’s hold, officials inside OMB advocated for the release of the funds. On August 7, OMB staff sent a memo to Director Vought recommending removing the hold because the assistance was consistent with the national security strategy in terms of, one, supporting a stable, peaceful Europe; two, the fact that the aid countered Russian aggression; and, three, that there was bipartisan support for the program. This meant that experts at every single relevant agency involved opposed the hold.

By mid-August, DOD raised concerns that it might not be able to fully spend the DOD funds before the end of the fiscal year. Laura Cooper testified that DOD estimated that \$100 million of aid was at risk of not getting to Ukraine. DOD concluded that it could no longer support OMB’s claim, in the footnotes, that “this brief pause in obligations will not preclude DOD’s timely execution of the final policy direction.” Sandy testified that this sentence in the footnotes was “at the heart of that issue about ensuring that we don’t run afoul of the Impoundment Control Act.”

Records produced in response to a FOIA lawsuit show that Mr. Duffey and Ms. McCusker exchanged emails on August 20, and on that date, OMB modified the footnote. These emails are almost entirely redacted; however, all the subsequent footnotes issued by OMB during the pendency of the hold removed this sentence regarding DOD’s ability to fully obligate the funds by the end of the fiscal year. Nevertheless, OMB continued to implement the hold at the President’s direction. We know from emails released last night that as of September 5, OMB was continuing to instruct DOD to hold the aid. OMB gave these emails to a private organization just because of a FOIA lawsuit. On September 5, Duffey emailed McCusker the following:

No movement on Ukraine. Footnote forthcoming to continue hold through Friday.

We know that McCusker responded to OMB with a lengthy email detailing

DOD's serious concerns, but OMB rejected almost the whole thing.

As I explained last night, OMB has key documents that President Trump has refused to turn over to Congress—key documents that go to the heart of one of the ways in which the President abused his power.

Concerns about whether the administration was bending, if not breaking, the law contributed to at least two OMB officials resigning, including an attorney in OMB. According to Sandy, one colleague specifically disagreed with OMB General Counsel about the application of the Impoundment Control Act. As I mentioned earlier, the independent and nonpartisan Government Accountability Office has already said that the hold was illegal. But you remember the OMB correspondence referencing the "Interagency Process." As we now know, there was no interagency process. It had ended months before. They made it up. They had to make it up because they couldn't say the real reason for the hold.

Sometime prior to August 6, Ambassador Bolton had a one-on-one meeting with President Trump. According to Tim Morrison, at that meeting, the President "was not yet ready to approve the release of the assistance." Ambassador Bolton instructed Morrison to look for other opportunities to get the President's Cabinet together "to have the direct, in-person conversation with the President about this topic." Everyone was worried, including the President's National Security Advisor.

In mid-August, Lieutenant Colonel Windman drafted a Presidential decision memorandum for Ambassador Bolton to present to President Trump for a decision on Ukraine security assistance. The memorandum recommended that the hold be lifted. Morrison testified that the memorandum was never provided to the President because of other competing issues. Morrison testified that a meeting with the President was never arranged in August, reportedly because of scheduling problems.

According to recent press reports, on August 30, Secretary of Defense Esper and Secretary of State Pompeo met with President Trump and implored him to release the security assistance because doing so was in the interest of the United States. However, President Trump continued to ignore everybody. Later that day, Duffey emailed Under Secretary of Defense Elaine McCusker and wrote: "Clear direction from POTUS to hold."

The Ukrainian Government knew of President Trump's hold on security assistance well before it was publicly reported on August 28. This was not surprising. U.S. diplomat Catherine Croft testified it was "inevitable that it was eventually going to come out."

She said that two individuals from the Ukrainian Embassy here in Washington approached her approximately a week apart "quietly and in confidence

to ask me about an OMB hold on Ukraine security assistance." She could not precisely recall the dates of these conversations but testified that she was "very surprised at the effectiveness of my Ukrainian counterparts." Everyone was worried. Why would these diplomats quietly make this inquiry? It is because if it had gone public, it would show that weakness against Russia which was so concerning to everybody involved. She said: "I think that if this were public in Ukraine, it would be seen as a reversal of our policy . . . it would be a really big deal in Ukraine, and an expression of declining U.S. support for Ukraine."

Meanwhile, Laura Cooper testified that DOD heard from the Ukrainian Embassy on July 25—the same day as President Trump's call to President Zelensky.

(Text of Videotape presentation:)

LAURA COOPER. On July 25th, a member of my staff got a question from a Ukraine Embassy contact asking what was going on with Ukraine security assistance, because at that time, we did not know what the guidance was on USAI. The OMB notice of apportionment arrived that day, but this staff member did not find out about it until later. I was informed that the staff member told the Ukrainian official that we were moving forward on USAI, but recommended that the Ukraine Embassy check in with State regarding the FMF."

Mr. Manager CROW. "USAI" referred to the \$250 million that OMB blocked DOD from sending to Ukraine. "FMF" referred to the \$141 million they blocked from the State Department.

On July 25, Cooper's staff also received two emails from the State Department revealing that the Ukrainian Embassy was "asking about security assistance" and that "the Hill knows about the FMF . . . situation to an extent, and so does the Ukrainian embassy." One of Cooper's staff members reported additional contacts with Ukrainian officials about the hold in August.

Finally, we know the Ukrainians knew about the hold because the New York Times published an interview with the former Deputy Foreign Minister of Ukraine, Olena Zerkal. She stated that she and President Zelensky's office received a cable in late July informing them of the hold.

In short, by the time of POLITICO's report on August 28, the Ukrainians were well aware that the aid was not the only important official act the White House was withholding from them. The long-sought White House visit for President Zelensky was also in limbo.

As all of this transpired, Ukrainian troops were still on the frontlines in eastern Ukraine, facing off against Russian-backed forces, dying in defense of their country.

Ambassador Bill Taylor visited those Ukrainian troops on July 26. He recalled seeing "the armed and hostile Russian-led force on the other side of the damaged bridge across the line of

the contact." When asked to reflect on that visit, here is what Ambassador Taylor had to say:

(Text of Videotape presentation:)

Mr. MALONEY. Let's talk about July 26, a lot of years later. You go to the front, you go to Donbas with Ambassador Volker, I believe. And you're on the bridge, and you're looking over on the front line at the Russian soldiers. Is that what you recalled?

Ambassador TAYLOR. Yes, sir.

Mr. MALONEY. And you said the commander there, the Ukrainian commander, thanked you for the American military assistance that you knew was being withheld at that moment.

Ambassador TAYLOR. That's correct.

Mr. MALONEY. How'd that make you feel, sir?

Ambassador TAYLOR. Badly.

Mr. MALONEY. Why?

Ambassador TAYLOR. Because it was clear that that commander counted on us. It was clear that that commander had confidence in us. It was clear that that commander had what—was appreciative of the capabilities that he was given by that assistance but also the reassurance that we were supporting him.

Mr. Manager CROW. Like me, Ambassador Taylor is a combat veteran. In fact, he was awarded a Bronze Star. Ambassador Taylor knew how vital our military aid was to those Ukrainian troops because he knows what it feels like to have people counting on you.

Members of the U.S. Senate, I know you believe that aid is important, too, because 87 Members of this body voted to support it. President Trump did not think the aid was important last year. He ignored you and the direction of Congress. He betrayed the confidence of our Ukrainian partners and U.S. national security when he corruptly withheld that aid. He did so because he simply wanted to help his own political campaign. Our men and women in uniform deserve better. Our friends and allies deserve better. The American people deserve better.

Mrs. Manager DEMINGS. Chief Justice Roberts, Senators, and counsel for the President, I want to talk to you about the White House meeting that President Trump offered to President Zelensky during their first phone call in April. But, as you know, that meeting has not been scheduled. It was never scheduled.

Ambassador Sondland testified that after the May 23 meeting with President Trump, it became clear that President Zelensky would not be invited to the Oval Office until he announced the opening of investigations that would benefit President Trump's reelection. During his testimony, Ambassador Sondland stressed that it was a clear quid pro quo. Let's listen.

(Text of Videotape presentation:)

Ambassador SONDLAND. I know that members of this committee frequently frame these complicated issues in the form of a simple question: Was there a quid pro quo? As I testified previously with regard to the requested White House call and the White House meeting, the answer is yes. Mr. Giuliani conveyed to Secretary Perry, Ambassador Volker, and others that President Trump wanted a public statement from

President Zelensky committing to investigations of Burisma and the 2016 election. Mr. Giuliani expressed those requests directly to the Ukrainians, and Mr. Giuliani also expressed those requests directly to us. We all understood that these prerequisites for the White House call and the White House meeting reflected President Trump's desires and requirements.

Mrs. Manager DEMINGS. Ambassador Sondland also testified that the scheme to pressure Ukraine into fulfilling the President's requirements for an Oval Office meeting became progressively more specific and problematic—what he described as a “continuum of insidiousness.” He explained the evolution from generic requests to investigate corruption to calls to pursue specific allegations against President Trump's political opponents.

Here is Ambassador Sondland again.
(Text of Videotape presentation:)

Ambassador SONDLAND. Well, Mr. Chairman, when we left the Oval Office, I believe on May 23, the request was very generic for an investigation of corruption in a very vanilla sense and dealing with some of the oligarch problems in Ukraine, which were long-standing problems. And then as time went on, more specific items got added to the menu, including the Burisma and 2016 election meddling, specifically the DNC server specifically. And over this continuum it became more and more difficult to secure the White House meeting because more conditions were being placed on the White House meeting.

Mrs. Manager DEMINGS. In short, Ambassadors Volker and Sondland understood that to get the meeting scheduled, they needed to get Mr. Giuliani's agreement first.

On June 27, Ambassador Sondland explained to Ambassador Taylor that President Trump needed to hear from the Ukrainian leader before he would consent to a White House meeting. Here is how Ambassador Taylor explained it.

(Text of Videotape presentation:)

Ambassador TAYLOR. On June 27th, Ambassador Sondland told me during a phone conversation that President Zelensky needed to make clear to President Trump that he, President Zelensky, was not standing in the way of investigations.

Diplomat David Holmes testified that he understood, early on, the investigations to mean the Burisma-Biden investigations that Mr. Giuliani and his associates had been speaking about publicly. Mr. Holmes noted that while President Trump was withholding an Oval Office meeting with Ukraine's newly elected leader, he agreed to meet with Ukraine's chief foe, Vladimir Putin.

Mr. Holmes had this to say:

(Text of Videotape presentation:)

Mr. HOLMES. Also on June 28th, while President Trump was still not moving forward on a meeting with President Zelensky, we met with—he met with Russian President Putin at the G20 Summit in Osaka, Japan, sending a further signal of lack of support to Ukraine.

Mrs. Manager DEMINGS. Ambassador Volker did not dispute other witnesses' testimony that President Trump conditioned an Oval Office

meeting on President Zelensky's willingness to announce investigations. Indeed, Ambassador Volker helped matters along. Ambassador Volker testified that at a conference in early July, he suggested that President Zelensky speak to President Trump on the phone to discuss the investigations.

During his testimony, Ambassador Volker described that encounter.

Mr. GOLDMAN. Uh-huh. And in the July 2nd or 3rd meeting in Toronto that you had with President Zelensky, you also mentioned investigations to him, right?

Ambassador VOLKER. Yes.

Mr. GOLDMAN. And, again, you were referring to the Burisma and the 2016 election.

Ambassador VOLKER. I was thinking of Burisma and 2016.

Mr. GOLDMAN. Okay. And you understood that is what the Ukrainians interpreted references to investigations to be, related to Burisma and the 2016 election?

Ambassador VOLKER. I don't know specifically at that time if we had talked that, specifically, Burisma/2016. That was my assumption, though, that they would've been thinking about doing that, too.

Mrs. Manager DEMINGS. Mr. Giuliani became an inescapable presence to both Ukrainian officials and American diplomats. To the Ukrainians, Rudy Giuliani was seen as both a potential channel to President Trump and an obstacle to a productive U.S.-Ukraine relationship.

A top aide to President Zelensky texted to Volker that “I feel that the key for many things is Rudi and I [am] ready to talk with him at any time.”

But everyone understood that Mr. Giuliani was no rogue agent. He was acting at the direction of the President. Ambassador Sondland clearly described Mr. Giuliani's role in regard to the President. Let's listen.

(Text of Videotape presentation:)

Ambassador SONDLAND. Mr. Giuliani's requests were a quid pro quo for arranging a White House visit for President Zelensky. Mr. Giuliani demanded that Ukraine make a public statement announcing the investigations of the 2016 election, DNC server, and Burisma. Mr. Giuliani was expressing the desires of the President of the United States, and we knew these investigations were important to the President.

Mrs. Manager DEMINGS. Concern about Mr. Giuliani's influence began to grow. On July 10, at a meeting between Ambassador Taylor and two Ukrainian officials in Kyiv, Ukrainian officials said they were “very concerned” because Mr. Giuliani had told the corrupt prosecutor general, Lutsenko, that President Trump would not meet with the Ukrainian leader.

Back in Washington, two important encounters at the White House further revealed the existence of a corrupt quid pro quo. Ambassador Sondland first broached the investigation in a meeting in Ambassador Bolton's office with Bolton's Ukrainian counterpart and President Zelensky's top aide. Also present were Secretary Perry, Ambassador Volker, and NSC officials Dr. Hill and Lieutenant Colonel Vindman. Toward the end of the meeting, the Ukrainians raised the topic of an Oval

Office meeting between President Trump and President Zelensky. Ambassador Bolton started to respond when Ambassador Sondland interjected and raised the demands of the investigation.

Here is how Lieutenant Colonel Vindman recalled the conversation:

(Text of Videotape presentation:)

Mr. VINDMAN. To the best of my recollection, Ambassador Sondland said that in order to get a White House meeting, the Ukrainians would have to provide a deliverable, which is investigations, specific investigations.

Mrs. Manager DEMINGS. Ambassador Volker separately confirmed this recollection during his testimony.

(Text of Videotape presentation:)

Ambassador VOLKER. I participated in the July 10 meeting between National Security Advisor Bolton and then-Ukrainian Chairman of the National Security and Defense Council, Alex Danyliuk. As I remember, the meeting was essentially over when Ambassador Sondland made a general comment about investigations. I think all of us thought it was inappropriate.

Mrs. Manager DEMINGS. Ambassador Bolton also found Ambassador Sondland's reference to be inappropriate, and he abruptly ended the meeting. However, Ambassador Sondland was not deterred. He convened a second meeting where he discussed what needed to happen before an Oval Office meeting. Apparently, Ambassador Sondland had received his marching orders from the President, and he was determined to carry them out.

Bolton sent Dr. Hill to join that meeting and report back. This is what Dr. Hill had to say:

(Text of Videotape presentation:)

Dr. HILL. And so when I came in, Gordon Sondland was basically saying, well, look, we have a deal here that there will be a meeting—I have a deal here with Chief of Staff Mulvaney. There will be a meeting if the Ukrainians open up or announce these investigations into 2016 and Burisma. And I cut it off immediately there. Because by this point, having heard Mr. Giuliani over and over again on the television and all of the issues that he was asserting, by this point it was clear that Burisma was code for the Bidens because Giuliani was laying it out there.

Mrs. Manager DEMINGS. After the meeting, Dr. Hill followed up with Ambassador Bolton and relayed what transpired. Bolton was alarmed. In other words, Ambassador Bolton didn't want any part of it. He directed Dr. Hill to brief the NSC's top attorney, John Eisenberg, as she explained during her hearing.

(Text of Videotape presentation:)

GOLDMAN. What was that specific instruction?

Dr. HILL. The specific instruction was that I have to go to the lawyers, to John Eisenberg, our senior counsel for the National Security Council, to basically say, you tell Eisenberg, Ambassador Bolton told me, that I am not part of this whatever drug deal that Mulvaney and Sondland are cooking up.

GOLDMAN. What did you understand him to mean by the drug deal that Mulvaney and Sondland were cooking up?

Dr. HILL. I took it to mean investigations for a meeting.

GOLDMAN. Did you go speak to the lawyers?

Dr. HILL. I certainly did.

Mrs. Manager DEMINGS. As a former chief of police, I think it is quite interesting that Ambassador Bolton categorized the corrupt scheme—the pressure campaign—as a “drug deal.” I think Ambassador Bolton was trying to send us a very powerful message that not only would the lawyers, the top lawyer understand, but that every person would understand—every Member of the House, every Member of the Senate, every member of our great country, every citizen.

And Ambassador Bolton also wanted to make clear, especially to the top attorney, that he did not want to have anything to do with the drug deal in progress. But we do know now, of course, that Ambassador Bolton can testify directly about this. He can testify directly for himself about this meeting if he appears before this body, as he has indicated that he is prepared to do if this body is willing to issue a subpoena. We need to hear from Ambassador Bolton, and I know the American people want to hear from Ambassador Bolton as well.

Dr. Hill testified that she spoke to Mr. Eisenberg twice. Dr. Hill also indicated that Mr. Eisenberg took notes of their meeting, which we, to no surprise now, do not have. We have not received them because of the President’s obstruction.

It is clear that Ambassador Sondland was not operating a rogue operation. He testified that everyone was in the loop. Let’s listen once again.

(Text of Videotape presentation:)

Ambassador SONDLAND. Everyone was in the loop. It was no secret. Everyone was informed via email on July 19th, days before the Presidential call. As I communicated to the team, I told President Zelensky in advance that assurances to run a fully transparent investigation and turn over every stone were necessary in his call with President Trump.

Mrs. Manager DEMINGS. In the email reference, Ambassador Sondland wrote the following to Secretary Pompeo, Secretary Perry, and Mr. Mulvaney regarding President Zelensky.

(Text of Videotape presentation:)

He is prepared to receive POTUS’ call. Will assure him that he intends to run a fully transparent investigation and will “turn over every stone.”

Both Mulvaney and Perry responded to the email noting that the head-of-state call would be scheduled right away. Now, you may be asking: What did Mulvaney know about these investigations, and did he have any conversations with President Trump about them?

Senators, this body is entitled to see all of the evidence, and do you know what? The American people are entitled to hear all of the evidence. And while the nature of the “drug deal” we have talked about was uncontested, it is important for the country to know that everyone was involved because we

have heard that everyone was in the loop.

Now, later this day, July 19, Ambassador Sondland texted Ambassadors Volker and Taylor about the upcoming head-of-state telephone call, and the text said:

Looks like Potus call tomorrow. I [spoke] directly to Zelensky and gave him a full briefing. He’s got it.

Ambassador Volker replied to Sondland’s text: “Most [important] is for Zelensky to say that he will help investigations.”

The evidence shows that the Ukrainians understood what they needed to do to earn a White House meeting with the President.

On July 20, the day after Ambassador Sondland’s phone call with President Zelensky, Ambassador Taylor spoke with the Ukrainian national security advisor. Ukraine’s national security advisor conveyed that the Ukrainian President did not want to become an instrument in U.S. politics.

Here is how Ambassador Taylor explained that concern:

(Text of Videotape presentation:)

GOLDMAN. What did you understand it to mean when—that Zelensky had concerns about being an instrument in Washington domestic reelection politics?

Ambassador TAYLOR. Mr. Danyliuk understood that these investigations were pursuant to Mr. Giuliani’s request to develop information, to find information about Burisma and the Bidens. This was very well known in public. Mr. Giuliani made his point clear in several instances in the beginning—in the springtime.

And Mr. Danyliuk was aware that that was a problem.

GOLDMAN. And would you agree that, because President Zelensky is worried about this, they understood, at least, that there was some pressure for them to pursue these investigations? Is that fair?

Ambassador TAYLOR. Mr. Danyliuk indicated that President Zelensky certainly understood it, that he did not want to get involved in these types of activities.

Mrs. Manager DEMINGS. The next day, Ambassador Taylor relayed the Ukrainian leader’s concerns to Volker and Sondland, but Ambassador Sondland did not back down.

Specifically, Ambassador Sondland texted in response to Ambassador Taylor’s worry: “Absolutely, but we need to get the conversation started and the relationship built, irrespective of the pretext.”

Again, Ambassador Sondland had his marching orders, and he was determined to carry them out.

A call between President Trump and President Zelensky was scheduled for July 25.

Before the call, President Trump spoke to Sondland and reiterated his expectation that the Ukrainian leader would commit to the investigations.

Ambassador Sondland subsequently contacted Ambassador Volker and relayed the message to him.

Volker then texted Zelensky’s top aide with President Trump’s instruction: “[A]ssuming President Z convinces trump he will investigate / ‘get

to the bottom of what happened’ in 2016, we will nail down the date for a visit to Washington.”

Senators, in other words, even before the July 25 phone call with President Zelensky, before it ever took place, Ukraine understood that it needed to initiate the investigation into the debunked conspiracy theory about the 2016 election as a condition for President Zelensky, the newly elected Ukrainian President, to visit the White House.

Ambassador Sondland testified that acting on President Trump’s direct orders, he and Ambassador Volker prepped President Zelensky for the telephone call.

(Text of Videotape presentation:)

GOLDMAN. And you would agree that the message in this—that is expressed here is that President Zelensky needs to convince Trump that he will do the investigations in order to nail down the date for a visit to Washington, D.C. Is that correct?

Ambassador SONDLAND. That’s correct.

Mrs. Manager DEMINGS. By this time, nonpartisan career officials involved with Ukraine policy had become aware of this quid pro quo.

Here is what three of them said during their testimony:

Ambassador Taylor: “. . . the meeting President Zelensky wanted was conditioned on investigations of Burisma and alleged Ukrainian influence in the 2016 elections . . .”

Ambassador David Holmes: “. . . it was made clear that some action on a Burisma/Biden investigation was a precondition for an Oval Office visit.”

Dr. Hill: “There seems to be an awful lot of people involved in, you know, basically turning a White House meeting into some kind of asset” that was “dangled out to the Ukrainian Government.”

A White House visit—a visit to the Oval Office—was dangled out to the Ukrainian Government.

Senators, I ask you to think about those words as we decide—as you decide—what action you will take. Think about those words. There was no doubt the direction came from the President of the United States. The President was at the center of this scheme.

Ambassador Sondland testified: “Mr. Giuliani was expressing the desires of the President of the United States, and we knew these investigations were important to the President.”

Ambassador Sondland added that Mr. Giuliani “followed the direction of the President” and “we followed the President’s orders.”

However, as Ambassador Taylor testified, “Ambassador Bolton was not interested in having—did not want to have the call because he thought it was going to be a disaster.” He thought that there could be some talk of investigations or even worse than that, he thought.

I ask you today, Senators: What was Ambassador Bolton so afraid that President Trump would say to the newly elected Ukrainian President?

What was the National Security Advisor so afraid that President Trump would say to President Zelensky?

This is another topic we would like to ask Ambassador Bolton about if and when he appears before this body.

Mr. Manager JEFFRIES. Mr. Chief Justice, distinguished Members of the Senate, I thank you, once again, for your indulgence and for your courtesy as we all undertake our solemn constitutional responsibilities during this Senate trial.

George Washington once observed in his Farewell Address to the Nation that the Constitution was sacredly obligatory upon all. That means everyone. In fact, that is what makes our great country so distinct from authoritarian regimes and enemies of democracy. Vladimir Putin is above the law in Russia; Erdogan is above the law in Turkey; Kim Jong Un is above the law in North Korea, but in the United States of America, no one is above the law, not even the President of the United States. That is what this moment is all about.

As we all know, Congress is a separate and coequal branch of government. We don't work for this President or any President. We, of course, work for the American people. We have a constitutional responsibility to serve as a check and balance on an out-of-control executive branch. That is not from the Democratic Party's playbook, and that is not from the Republican Party's playbook. That is from the playbook of a democratic republic.

James Madison once observed in Federalist No. 51 that the Congress should serve as a rival to the executive branch.

In my humble opinion, why would Madison use the word "rival"?

It is that the Framers of the Constitution, I think, did not want a King; they did not want a dictator; they did not want a Monarch. They wanted a democracy. The Constitution is sacredly obligatory upon all. It is through that lens that we proceed today.

For the next few moments, I would like to discuss President Trump's July 25 phone call with Ukraine's newly elected leader.

The President claims that his call was perfect. Nothing can be further from the truth. The call is direct evidence of President Trump's solicitation of foreign interference in the 2020 election as part of a corrupt scheme. It is important, of course, to remember the context of this call.

New Ukrainian President Volodymyr Zelensky was in a vulnerable position and viewed American and diplomatic military support as critical to his standing and to Ukraine's fragile future as a democracy. Equally significant, as outlined by my colleagues, America has a strong national security interest in supporting Ukraine against Russia's continued aggression.

William Taylor, a West Point graduate, a Vietnam war hero, and Ambassador to Ukraine, appointed by Donald

Trump, testified: "Ukraine is a strategic partner of the United States—important for the security of our country as well as Europe."

LTC Alexander Vindman, a National Security Council officer, a Trump appointee, a Purple Heart recipient, an Iraq war veteran, testified: "A strong and independent Ukraine is critical to our national security interests."

Ukraine remains under attack by Russian-backed separatists in Crimea. It is an ongoing hot war. Ukraine is a friend. Russia is a foe. Ukraine is a democracy. Russia is a dictatorship. The United States may very well be one of the other things standing between Russia and Ukraine's being completely overrun. As part of that, Vladimir Putin continues aggression against the free world. That is why this Congress allocated \$391 million in military and security aid to a vulnerable Ukraine on a bipartisan basis. It is that it is in America's national security interests.

On the July 25 call, Mr. Trump could have endeavored to strengthen the relationship with this new Ukrainian leader. Instead, President Trump focused on securing a personal favor. He wanted Ukraine to conduct phony investigations, designed to enhance his political standing and solicit foreign interference in the 2020 election.

On the July 25 call, President Trump maligned a highly respected American Ambassador, known as an anti-corruption crusader. At the same time, he praised a corrupt former Ukrainian prosecutor, and on multiple occasions, President Trump directed Ukraine's new leader to speak with his personal lawyer, Rudolph Giuliani, on an official call.

Mr. Giuliani is not a member of the Trump administration. For these and other reasons, the July 25 call warrants our close scrutiny. It presents significant and shocking evidence of President Trump's corrupt intent. The call lays bare the President's willingness to do whatever it takes to get what he wants even if his behavior undermines the national security interests of the United States of America.

At the beginning of the call, President Zelensky mentioned U.S. military aid, and he states: "I would also like to thank you for your great support in the area of defense." The great support in the area of defense includes the security assistance passed by this Congress, on a bipartisan basis, that Donald Trump held up in violation of the law.

Immediately after President Zelensky raised the issue of defense support, President Trump responded: "I would like you to do us a favor, though."

These words will live in infamy.

First, President Trump said to President Zelensky, as part of the two demands that he requested:

I would like you to find out what happened with this whole situation with Ukraine, they say CrowdStrike . . . I guess you have one of your wealthy people. . . . The server, they say, Ukraine has it."

President Trump continued:

I would like to have the Attorney General call you or your people, and I would like you to get to the bottom of it. As you saw yesterday, that whole nonsense ended with a very poor performance by a man named Robert Mueller—

A Vietnam war hero, by the way—a very poor performance by a man named Robert Mueller, an incompetent performance, but they say a lot of it started with Ukraine. Whatever you can do, it's very important that you do it if that's possible.

Who is the "they" referred to by President Trump putting forth the baseless conspiracy theory that the Ukrainians, not the Russians, were behind the hack of the Democratic National Committee server in 2016?

"They" means Russia. "They" means Putin. "They" are enemies of the United States.

Not a single witness who testified before the House knew of any factual basis for President Trump's belief in the CrowdStrike Ukraine fairytale. To the contrary, the U.S. intelligence community and this Senate Intelligence Committee assessed that Russia interfered in the 2016 election.

As Dr. Fiona Hill testified, the theory that Ukraine interfered in the 2016 election "is a fictional narrative that has been perpetrated and propagated by the Russian security services."

The conspiracy theory that President Trump advanced on the July 25 phone call is stone-cold Russian propaganda.

As early as February 2017, Vladimir Putin began to promote this lie during a press conference saying:

The Ukrainian Government adopted a unilateral position in favor of one candidate. More than that, certain oligarchs, certainly with the approval of the political leadership, funded this candidate, or female candidate, to be more precise.

Those are the words of Vladimir Putin—a script apparently adopted by President Donald John Trump.

If there was any doubt about who benefits from this unfounded, Russian-inspired conspiracy theory advanced by Donald Trump, Vladimir Putin made it clear when he said in November of 2019:

Thank God no one is accusing us anymore of interfering in U.S. elections. Now they're accusing Ukrainians.

Unfortunately, this is not the first time President Trump tried to capitalize on Russian propaganda and misinformation for his own political benefit.

On July 24, just one day before this call, Special Counsel Robert Mueller testified before Congress that the "Russian government interfered in the 2016 election in sweeping and systematic fashion" in order to support the Trump campaign and divide America.

Mr. Mueller also found that the Trump campaign welcomed Russian interference in the 2016 election and utilized it as part of its campaign messaging.

Despite the clear and overwhelming conclusion of U.S. intelligence agencies, as well as the distinguished Senate Intelligence Committee, that Russia, not Ukraine interfered in the 2016

election, President Trump continued to press the new Ukrainian leader to announce an investigation into the CrowdStrike Ukraine conspiracy theory.

Why? President Trump sought a political favor—that is why—as part of a scheme to solicit foreign interference in the 2020 election.

The second demand made by President Trump on the July 25 call related to the campaign of Vice President Joe Biden, who announced his intention to run for the Office of the Presidency last April. Throughout the spring and early summer of last year, public polling consistently showed that Biden would decisively defeat President Trump. In fact, on June 16 of last year—June 16—a FOX News poll showed that President Trump would lose to Joe Biden by 10 points.

The concern with Joe Biden's candidacy provides motive for President Trump's demand that the Ukrainian Government investigate the former Vice President and his son Hunter.

Here is what President Trump said on that call:

The other thing, there's a lot of talk about Biden's son, that Biden stopped the prosecution and a lot of people want to find out about that so whatever you can do with the Attorney General would be great. Biden went around bragging that he stopped the prosecution so if you can look into it . . . It sounds horrible to me.

Now, the Trump administration officials who participated in the impeachment inquiry unanimously testified that there was no factual support for the allegation that Vice President Biden did anything wrong or misused his authority when he pressed for the removal of Ukraine's corrupt former prosecutor general. Joe Biden did nothing wrong. The witnesses testified that Vice President Biden was in fact carrying out official U.S. policy to clean up the prosecutor general's office in Ukraine.

This policy, of course, aligned with the perspective of many in this very distinguished body, as well as our European allies throughout the world, as well as the International Monetary Fund.

Vice President Biden did not remove Yuriy Lutsenko, the corrupt prosecutor. The Ukrainian Government did with the support of the free world.

Nonetheless, on October 3, 2019, when a reporter asked President Trump, "What exactly did you hope Zelensky would do about the Bidens after your phone call," President Trump responded as follows.

(Text of Videotape presentation:)

News Reporter. What exactly did you hope Zelensky would do about the Bidens after your phone? Exactly?

President TRUMP. Well, I would think that, if they were honest about it, they'd start a major investigation into the Bidens. It's a very simple answer.

Mr. Manager JEFFRIES. Start a major investigation into the Bidens. The evidence of wrongdoing by President Trump is hiding in plain sight.

During the July 25 call, President Trump also repeatedly pressed the Ukrainian President to coordinate with his personal attorney, Rudolph Giuliani.

Why was Rudolph Giuliani's name mentioned multiple times during the July 25 phone call? Giuliani is not the Secretary of State. He is not an ambassador. He is not a member of the diplomatic corps.

Rudolph Giuliani is a cold-blooded political operative for President Trump's reelection campaign. That is why he was referenced multiple times on that July 25 phone call, and it is evidence of corrupt intent by President Trump.

By the time the call took place, President Zelensky understood Giuliani's connection to the shakedown scheme. He recognized Giuliani's role as the President's political operative on matters related to Ukraine.

Zelensky informed President Trump that one of his aides spoke with Mr. Giuliani "just recently" and "we are hoping very much that Mr. Giuliani will be able to travel to Ukraine and we will meet once he comes."

The Ukrainian leader knew Giuliani represented President Trump's political interests in his country and could help unlock the long-sought-after Oval Office meeting that President Zelensky desired.

The phony investigations sought by President Trump on the July 25 call were not designed to bolster the national security interests of the United States of America—quite the contrary. President Trump sought to benefit himself and his own reelection prospects.

On the July 25 call, President Trump also suggested that President Zelensky speak with the Attorney General William Barr about the two fake investigations that the President sought.

This is important to keep in mind. At no time during this entire sordid scheme was there an ongoing American law enforcement investigation into the phony slander related to Joe Biden or the conspiracy theory related to Ukrainian interference in the 2016 election. At no time was there an ongoing American law enforcement investigation.

America is the leader of the free world. We do not urge other sovereign countries to target American citizens absent any legitimate basis whatsoever, absent any scintilla of evidence.

Apparently, President Trump does not play by those rules. During the July 25 call, President Trump didn't raise legitimate corruption concerns as it relates to the Ukraine. President Trump did not mention the word "corruption" once. The President did, however, viciously malign former U.S. Ambassador to Ukraine Marie Yovanovitch, a distinguished anticorruption advocate whom he abruptly removed because she was seen as an obstacle to his geopolitical shakedown.

Ambassador Yovanovitch joined the diplomatic corps under President Ronald Reagan and subsequently served three other Republican Presidents. She is a highly respected diplomat and Foreign Service professional. Yet President Trump told the new Ukrainian leader the former Ambassador from the United States, "the woman," was bad news, and the people she was dealing with in the Ukraine were bad news. "So I just want to let you know that."

He didn't stop there. Later in the call, President Trump ominously added, "Well, she's going to go through some things." These are the words of the President of the United States of America.

Ambassador Yovanovitch did not know of President Trump's disparaging remarks at the time. She didn't learn them until the call record became public in September. Asked whether she felt "threatened" by President Trump's statement that "she's going to go through some things," Ambassador Yovanovitch answered that she did. Here is what she said.

(Text of Videotape presentation:)

Mr. GOLDMAN. The next excerpt when the President references you is a short one, but he said: "Well, she's going to go through some things." What did you think when President Trump told President Zelensky and you read that you were going to go through some things?

Ambassador YOVANOVITCH. I didn't know what to think, but I was very concerned.

Mr. GOLDMAN. What were you concerned about?

Ambassador YOVANOVITCH. She's going to go through some things. It didn't sound good. It sounded like a threat.

Mr. GOLDMAN. Did you feel threatened?

Ambassador YOVANOVITCH. I did.

Mr. Manager JEFFRIES. During that same call, President Trump also took the opportunity to praise Yuriy Lutsenko—Mr. Lutsenko, who is the former Ukrainian prosecutor general who was widely regarded by the entire free world, including our European allies and the International Monetary Fund, to be corrupt and incompetent, but Donald John Trump, our President, praised him on that call.

He told President Zelensky:

I heard you had a prosecutor who was very good and he was shut down and that's really unfair. A lot of people are talking about that, the way they shut your very good prosecutor down and you had some very bad people involved.

Think about this contrast. The President bashed a career American diplomat and an anti-corruption champion whom he unceremoniously removed because she was viewed as an obstacle to his efforts to solicit foreign interference in the 2020 election and then at the same time praised someone who he thought could be an asset—a former Ukrainian prosecutor whom the free world views as an obstacle to the rule of law. The idea that President Trump cares about corruption is laughable. It is laughable.

A plain reading of the rough transcript of the July 25 call also sheds light on the quid pro quo involving the

Oval Office meeting that had been sought.

President Zelensky said on the call:

I also wanted to thank you for your invitation to visit the United States, specifically Washington, DC. On the other hand, I also wanted to ensure you that we will be very serious about the case and will work on the investigation.

As all of you know here in this distinguished body, *quid pro quo* is a Latin term. It means “this for that.” The statement that I just read shows that President Zelensky fully understood at the time of this July 25 call that if he yielded to President Trump’s demand for phony investigations, he would get the White House meeting in the Oval Office that he desperately sought. This for that.

President Trump has repeatedly insisted that his July 25 conversation with President Zelensky was “a perfect call.” His staff at the White House apparently believed otherwise. The press office issued a short and incomplete summary of the July 25 call. Let me read it for your hearing:

Today, President Donald J. Trump spoke by telephone with President Volodymyr Zelensky of Ukraine—

(Disturbance in the Galleries.)

Mr. Manager JEFFRIES. And the scripture says: “For the Lord loves justice and will not abandon His faithful ones.”

This is the White House call readout of July 25, 2019:

Today, President Donald J. Trump spoke by telephone with President Volodymyr Zelensky of Ukraine to congratulate him on his recent election. President Trump and President Zelensky discussed ways to strengthen the relationship between the United States and Ukraine, including energy and economic cooperation. Both leaders also expressed that they look forward to the opportunity to meet.

That is the official White House readout of the call dated July 25, 2019. The official readout provided to the American people omitted key elements of the President’s conversation. Let’s review.

The official readout did not mention the phony investigations requested by President Trump. The official readout did not mention the Oval Office meeting sought by President Zelensky. The official readout did not mention President Trump’s elevation of a debunked conspiracy theory promoted by Vladimir Putin about 2016 election interference. The official readout did not mention President Trump’s demand that Ukraine investigate his domestic political rival, Joe Biden. The official readout did not mention that President Trump maligned and threatened Ambassador Yovanovitch. The official readout did not mention that President Trump praised a corrupt former Ukrainian prosecutor.

The complete conversation, however, between President Trump and President Zelensky that we just outlined offers powerful evidence that President Trump abused his power and solicited foreign interference in the 2020 election.

Several members of the President’s staff listening in on the call immediately grew concerned.

As he sat in the White House Situation Room listening to the conversation, LTC Alexander Vindman realized that the President’s demands of the Ukrainian leader were “inappropriate” and “improper.” He quickly recognized that as the President began referencing the Bidens, Burisma, and CrowdStrike, the call was diverging from the official National Security Council talking points that he helped prepare.

Lieutenant Colonel Vindman, a 20-year Iraq war veteran, Purple Heart recipient, and American patriot, testified in the context of the call that due to the unequal bargaining position of the two leaders and Ukraine’s dependence on the United States, the “favor” that President Trump sought would have been perceived by President Zelensky as a demand. Lieutenant Colonel Vindman worried that the call would undermine U.S. national security interests, and he knew immediately that he had a duty to report the contents of the call to White House lawyers.

(Text of Videotape presentation:)

I was concerned by the call. What I heard was inappropriate, and I reported my concerns to Mr. Eisenberg.

It is improper for the President of the United States to demand a foreign government investigate a U.S. citizen and a political opponent. I was also clear that if Ukraine pursued an investigation—it was also clear that if Ukraine pursued an investigation into the 2016 elections, the Bidens and Burisma, it would be interpreted as a partisan play. This would undoubtedly result in Ukraine losing bipartisan support, undermining U.S. national security, and advancing Russia’s strategic objectives in the region.

Mr. Manager JEFFRIES. Recounting the content of the call based on his detailed handwritten notes, Lieutenant Colonel Vindman told the lawyers that he believed it was “wrong” for President Trump to ask President Zelensky to investigate Vice President Biden.

Other witnesses were also troubled by what they heard. Vice President PENCE’s adviser, Jennifer Williams, expressed concern that President Trump raised a “domestic political matter” on an official call with a foreign leader. She testified that the mention of investigations struck her as unusual and more political in nature. She said: “I guess for me it shed some light on possible other motives behind a security assistance hold.”

Timothy Morrison, a former Republican congressional staffer who replaced Dr. Fiona Hill in July of 2019, also reported the call to National Security Council lawyers.

After the call, President Trump continued to push the scheme forward.

On July 26, the very next day, Ambassador Sondland and Ambassador Taylor met with President Zelensky and other Ukrainian officials in Kyiv.

According to David Holmes, the Ukraine-based U.S. diplomat who served as the notetaker, the Ukrainian

leader mentioned that President Trump had brought up some “very sensitive issues” during the July 25 call—“very sensitive issues.”

Ambassador Sondland then had a private meeting with Andriy Yermak, President Zelensky’s top aide. The two men insisted that the meeting be one-on-one with no notetaker—perhaps due to the “very sensitive issues” that might come up. Ambassador Sondland testified that he and President Zelensky’s aide “probably” discussed “the issue of investigations.”

After these key meetings in Ukraine, Ambassador Sondland went to lunch with David Holmes and two other American officials. Mr. Holmes sat directly across from Ambassador Sondland—close enough to hear the details of an extraordinary telephone call between Mr. Sondland and President Trump. As Mr. Holmes related during his sworn testimony under oath, Ambassador Sondland pulled out his unsecured cell phone and “said that he was going to call President Trump to give him an update.” What happened next was shocking.

(Text of Videotape presentation:)

While Ambassador Sondland’s phone was not on speakerphone, I could hear the President’s voice through the earpiece of the phone. The President’s voice was 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 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 “loves your ass.”

I then heard President Trump ask, “So he’s going to do the investigation?”

Ambassador Sondland replied that he is going to do it, adding that President Zelensky will do “anything you ask him to do.”

Mr. Manager JEFFRIES. “He is going to do it.” He will do “anything you ask him to do.”

Immediately after this call with President Trump, Mr. Holmes followed up with Ambassador Sondland.

(Text of Videotape presentation:)

DAVID HOLMES. After the call ended, Ambassador Sondland remarked that the President was in a bad mood, as Ambassador Sondland stated 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 [expletive] about Ukraine. Ambassador Sondland agreed that the President did not give a [expletive] about Ukraine. I asked, why not, and Ambassador Sondland stated that the President only cares about . . . “big stuff.” I noted that there was . . . “big stuff” going on in Ukraine, like a war with Russia. Ambassador Sondland replied that he meant . . . “big stuff” that benefits the President, like the . . . “Biden investigation” that Mr. Giuliani was pushing. The conversation then moved on to other topics.

Mr. Manager JEFFRIES. During the July 25 call, President Trump asked for the favor of these two phony political

investigations immediately after the Ukrainian President brought up defense assistance for Ukraine.

The following day, Ambassador Sondland confirmed to President Trump that Ukraine would indeed initiate the investigations discussed on the call, which was the only thing the President cared about with respect to Ukraine. He didn't care that Russia was forcefully occupying eastern Ukraine. President Trump didn't care that thousands of Ukrainians apparently have died fighting for their democracy. He didn't seem to care that supporting Ukraine bolsters America's national security, but he cared about himself as it relates to the prospects of his reelection in 2020.

In November, President Trump denied that he spoke to Ambassador Sondland on July 26, telling reporters: "I know nothing about that." But in his public testimony, Ambassador Sondland contradicted that assertion with official records he obtained from the White House.

Ambassador Sondland further explained that Holmes' testimony refreshed his recollection about the July 26 call, which Ambassador Sondland had not originally described when he first appeared at a deposition before the House.

(Text of Videotape presentation:)

Ambassador SONDLAND. Also, on July 26th, shortly after our Kyiv meetings, I spoke by phone with President Trump. The White House, which has finally, finally shared certain call dates and times with my attorneys confirms this. The call lasted 5 minutes.

I remember I was at a restaurant in Kyiv, and I have no reason to doubt that this conversation included the subject of investigations. Again, given Mr. Giuliani's demand that President Zelensky make a public statement about investigations, I knew that investigations were important to President Trump.

Mr. Manager JEFFRIES. President Trump said that his July 25 conversation was a perfect call. It was far from perfect.

In a perfect call, the President would not demand a political favor from a vulnerable Ukraine under attack by a Russian foe. In a perfect call, the President would not demand that a foreign leader investigate a Russian-inspired conspiracy about the 2016 election. In a perfect call, the President would not pressure a foreign government to target an American citizen for political, personal gain.

In a perfect call, the President would not solicit foreign interference in the 2020 election. In a perfect call, the President would not threaten the well-being of a highly respected American Ambassador and say she was going to "go through some things." In a perfect call, the President would not praise a disgraced former prosecutor whom the free world viewed as corrupt and incompetent, and in a perfect call, the President would not have directed a foreign leader to follow up with Rudolph Giuliani, a human hand grenade.

This was not a perfect call. It is direct evidence that President Donald John Trump corruptly abused his power and solicited foreign interference in the 2020 election.

The CHIEF JUSTICE. The majority leader is recognized.

RECESS

Mr. McCONNELL. Mr. Chief Justice, colleagues, we will now take a 30-minute break for dinner and reconvene at 5 minutes after 7:00.

I ask unanimous consent that the Senate stand in recess until that time.

There being no objection, at 6:35 p.m., the Senate, sitting as a Court of Impeachment, recessed until 7:20 p.m.; whereupon the Senate reassembled when called to order by the CHIEF JUSTICE.

The CHIEF JUSTICE. The Senate will come to order.

Mr. SCHIFF.

Mr. Manager SCHIFF. Mr. Chief Justice, just so Senators have an idea of the evening, we expect to go about 2 to 2½ hours. I will make a presentation. Representative LOFGREN from California will make a presentation. I will make a final presentation, and then we will be done for the evening. As an encouraging voice told me: Keep it up, but don't keep it up too long. So we will do our best not to keep it up too long.

I am going to turn now to the part of the chronology that picks up right after that July 25 call and walk through the increasingly explicit pressure campaign waged on Ukraine in order to get President Trump's deliverable—the investigations meant to tarnish his opponent and help his reelection.

Now remember, by the end of July, Ukraine was aware of President Trump's requests for investigation to help his political efforts and had come to know that President Trump put a freeze on security assistance. So this is by the end of July. They also clearly understood that President Trump was withholding an Oval Office meeting until those investigations were announced. Both were very critical to Ukraine as a sign of U.S. support and as a matter of their national security, and their national security, of course, implicates our national security.

In the weeks after the July 25 call, President Trump's handpicked representatives escalated their efforts to get the public announcement of the investigations from Ukraine.

So let's go through this step by step, because the 3 weeks following the July 25 call tell so much about this pressure scheme.

Let's start with July 26. On July 26—so this is the day after the call—Ambassador Volker sends a text message to Giuliani, and that text message says:

Hi, Mr. Mayor. You may have heard, the President had a great call with the Ukrainian President yesterday. Exactly the right

messages as we discussed. Please send dates when you will be in Madrid. I am seeing Yermak tomorrow morning. He will come to you in Madrid. Thanks for your help. Kurt.

So here we are the day after that call, as my colleague demonstrates—this same day, so July 26, and the date of that second infamous call between President Trump this time and Gordon Sondland that you heard the diplomat, David Holmes, describe. So that is the same day, July 26, that we are talking about right now, where there is this text message.

Now, of course, in that July 25 call, the President wants to connect Rudy Giuliani with the President of Ukraine and his people. So this is a followup where Ambassador Volker is saying to Giuliani:

[It was] a great call with the Ukraine President. Exactly the right messages as we discussed.

And we know, of course, those messages were the need to do this political investigation.

Please send dates when you will be in Madrid. I am seeing Yermak tomorrow morning. He will come to you in Madrid.

So here is Ambassador Volker, one of the three amigos, following up, arranging this meeting between Giuliani and the Ukrainians. Giuliani replied, setting a meeting in Europe with President Zelensky's top aide for the very next week:

"I will arrive on August 1 and until 5," he wrote. Now remember, on July 22—so a few days before this and before the call—Ambassador Volker had connected Giuliani originally with Yermak, and they agreed to meet. So this is a followup. You have that arrangement being made by Volker and Giuliani before the call. Then, you have the call, and now you have the followup to arrange the meeting in Madrid.

So they do meet in Madrid. This is August 2. Andriy Yermak, Zelensky's top aide, flew to Madrid. He meets with Rudy Giuliani, who they know represented the President's interests. Both Giuliani and Yermak walk away from this meeting in Madrid clearly understanding that a White House meeting is linked to Zelensky's announcement of the investigations.

In separate conversations with Giuliani and Yermak after this Madrid meeting, Volker said he learned that Giuliani wanted the Ukrainians to issue a statement including specific mentions of the two investigations that the President wanted. According to Ambassador Volker's testimony, Yermak told him that his meeting with Giuliani was very good and immediately added that the Ukrainians asked for a White House meeting during the week of December 16.

Yermak presses Volker on the White House meeting date, saying that he was waiting for confirmation: "Maybe you know the date." This is a recurrent theme that we have seen through the text messages and other documents, and that is the recurrent requests for