

For example, even after President Trump expressed reluctance about Ukraine on May 23, his administration officials continued working to secure a White House meeting.

On July 10, for instance, they raised it again when Mr. Yermak and Ukraine's national security advisor met with John Bolton at the White House.

(Text of Videotape presentation:)

Dr. HILL. And then we knew that the Ukrainians would have on their agenda, inevitably, the question about a meeting. As we get through the main discussion, we are going into that wrap-up phase. The Ukrainians, Mr. Danylyuk, starts to ask about a White House meeting and Ambassador Bolton was trying to parry this back.

Mr. Manager JEFFRIES. As you have seen, President Zelensky didn't just raise the Oval Office meeting on his April 21 call, he raised the meeting on the July 25 call with President Trump again.

President Zelensky said on the July 25 call: "I also wanted to thank you for your invitation to visit the United States, specifically Washington, DC."

After the July 25 call, the Ukrainians continued to press for the meeting, but that meeting never happened.

Only on September 25, after the House announced its investigation into the President's misconduct as it relates to Ukraine and the existence of a whistleblower complaint became public, did President Trump and President Zelensky meet face-to-face for the first time. That meeting was on the sidelines of the U.N. General Assembly in New York. It was dominated by public release of the July 25 call record that occurred the day before. It was a far cry from the demonstration of strong support that would have been achieved by an Oval Office meeting.

Even President Zelensky recognized that a face-to-face talk on the sidelines of the United Nations General Assembly was not the same as an official Oval Office meeting. Sitting next to President Trump in New York, he again raised a White House meeting. Here is what President Zelensky said:

(Text of Videotape presentation:)

President ZELENSKY. And I want to thank you for the invitation to Washington. You invited me, but I think—I'm sorry, but I think you forgot to tell me the date. But I think in the near future.

Mr. Manager JEFFRIES. President Trump was not just withholding a small thing; the Oval Office meeting was a big deal. Ukraine remains at war with Russia. It desperately needs our support. As a result, the pressure on Ukraine not to upset President Trump—who still refuses to meet with President Zelensky in the Oval Office—continues to this day.

David Holmes testified that the Ukrainian Government wants an Oval Office meeting even after the release of the security assistance and that our own U.S. national security objectives would also benefit from such a meeting.

(Text of Videotape presentation:)

Mr. HOLMES. And although the hold on the security assistance may have been lifted, there were still things they wanted that they weren't getting, including a meeting with the President in the Oval Office. Whether the hold, the security assistance hold continued or not, the Ukrainians understood that that's something the President wanted and they still wanted important things from the President. That continues to this day. We have to be very careful. They still need us now going forward.

In fact, right now President Zelensky is trying to arrange a summit meeting with President Putin in the coming weeks, his first face-to-face meeting with him to try to advance the peace process. He needs our support. He needs President Putin to understand that America supports Zelensky at the highest levels. So this doesn't end with the lifting of the security assistance hold. Ukraine still needs us, and as I said, still fighting this war this very day.

Mr. Manager JEFFRIES. Let's evaluate exactly how President Trump made clear to Ukraine that a White House meeting was conditioned on Ukraine announcing two phony political investigations that would help with President Trump's reelection in 2020—help him cheat and corrupt our democracy.

By the end of May, it was clear that President Trump's pressure campaign to solicit foreign election interference wasn't working. President Zelensky had been elected and was rebuffing Mr. Giuliani's overtures. Even when President Trump directed his official staff to work with Mr. Giuliani in an effort to get President Zelensky to announce the two phony political investigations, that didn't work. So President Trump apparently realized that he had to increase the pressure. That is when he explicitly made clear to Ukraine that it would not get the desperately sought after Oval Office meeting unless President Zelensky publicly announced the phony investigations that President Trump sought.

On July 2, 2019, Ambassador Volker personally communicated the need for investigations directly to President Zelensky during a meeting in Toronto.

(Text of Videotape presentation:)

Ambassador VOLKER. After weeks of reassuring the Ukrainians that it was just a scheduling issue, I decided to tell President Zelensky that we had a problem with the information reaching President Trump from Mayor Giuliani. I did so in a bilateral meeting at a conference on Ukrainian economic reform in Toronto on July 2, 2019, where I led the U.S. delegation.

I suggested that he call President Trump directly in order to renew their personal relationship and to assure President Trump that he was committed to investigating and fighting corruption, things on which President Zelensky had based his Presidential campaign. I was convinced that getting the two Presidents to talk with each other would overcome the negative perception of Ukraine that President Trump still harbored.

Mr. Manager JEFFRIES. After Ambassador Volker instructed President Zelensky in Toronto on what to do, he updated Ambassador Taylor on his actions. He told Ambassador Taylor that he had counseled the Ukrainian President on how to "prepare for the phone call with President Trump." He also

told Ambassador Taylor that he advised Zelensky that President Trump "would like to hear about the investigations."

In addition to Ambassador Volker's direct outreach to President Zelensky, Ambassador Sondland continued to apply pressure as well during two White House meetings that took place on July 10 with Ukrainian officials. The first meeting included National Security Advisor John Bolton, Dr. Fiona Hill, LTC Alexander Vindman, Secretary Rick Perry, Ambassador Volker, as well as Bolton's Ukrainian counterpart and Ukrainian Presidential aide Andriy Yermak.

After discussion on Ukraine's national security reform plans, Ambassador Sondland broached the subject of the phony political investigations.

Fiona Hill, who also attended the meeting, recalled that Ambassador Sondland blurted out the following in that meeting with the Ukrainians: "Well, we have an agreement with the Chief of Staff for a meeting if these investigations in the energy sector start." That is code for Burisma, which is code for the Bidens.

Ambassador Volker also recalled that Ambassador Sondland raised the issue of the 2016 election and Burisma investigations. Ambassador Volker found Ambassador Sondland's comments in that meeting to be inappropriate.

(Text of Videotape presentation:)

Ambassador VOLKER. I participated in the July 10 meeting between National Security Advisor Bolton and then-Chairman of the National Security 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.

Mr. Manager JEFFRIES. The exchange underscores that by early July, President Trump's demand for investigations had come to totally dominate almost every aspect of U.S. foreign policy toward Ukraine. Securing a Ukrainian commitment to do investigations was a major priority of senior U.S. diplomats, as directed by President Donald John Trump.

The July 10 meetings also confirmed that the scheme to pressure Ukraine into opening investigations was not a rogue operation but one blessed by senior administration officials at 1600 Pennsylvania Avenue. As Ambassador Sondland testified, "Everyone was in the loop."

Mr. Majority Leader, based on the statement that we should break at around 6:30 p.m., I ask your indulgence. This may be a natural breaking point in connection with my presentation.

The CHIEF JUSTICE. The majority leader.

#### RECESS

Mr. McCONNELL. Mr. Chief Justice, I ask unanimous consent that we have a break for 30 minutes.

There being no objection, at 6:24 p.m., the Senate, sitting as a Court of

Impeachment, recessed until 7:14 p.m., whereupon the Senate reassembled when called to order by the CHIEF JUSTICE.

The CHIEF JUSTICE. The majority leader is recognized.

Mr. McCONNELL. Mr. Chief Justice, after consulting with Congressman SCHIFF, it looks like roughly 10:30 tonight. So we may need a short break somewhere between now and 10:30.

The CHIEF JUSTICE. Thank you.

Mr. Manager JEFFRIES. Mr. Chief Justice, distinguished Members of the Senate, counsel to the President, my colleagues, the American people, the second official act that President Trump used to corruptly abuse his power was the withholding of an Oval Office meeting with the President of Ukraine.

Before we took the break, we started walking through the overwhelming evidence about how President Trump withheld this official White House meeting that was vitally important to Ukraine as part of a corrupt scheme to convince President Zelensky to announce two phony political investigations. These investigations were entirely unrelated to any official U.S. policy and solely benefited President Trump.

We talked about why withholding the meeting was so significant to our ally Ukraine. Ukraine is a fragile democracy, under relentless attack from Russian-backed separatists in the east. U.S. support is vitally important to Ukraine in that war. They desperately need our support. They desperately need our assistance.

Because of this vast power disparity, President Trump had immense power over Ukraine, and President Trump knew it. So when President Trump asked for a favor on a July 25 call, he knew that President Zelensky would feel incredible pressure to do exactly what President Trump wanted.

President Trump used his agents—both his administration appointees and his personal attorney, Rudolph Giuliani—to make clear to Ukraine, even in early July, that the much-needed White House meeting they requested would only occur if they announced these phony political investigations.

To be clear, as Ambassador Sondland testified, “everyone was in the loop.” That includes Acting Chief of Staff Mick Mulvaney, Secretary of State Mike Pompeo, and Secretary of Energy Rick Perry.

Even ahead of the July 25 call, Ambassador Sondland was in close, repeated contact with these officials. His mission: Schedule a telephone conversation during which the new Ukrainian leader would personally commit to do the phony investigations sought by President Trump in order to unlock a meeting in the Oval Office—this for that, a quid pro quo.

This isn’t just based on the testimony of witnesses. It is corroborated by texts and emails as well. Let’s look at some of that evidence now.

On July 13, for example, Ambassador Sondland emailed National Security Council official Timothy Morrison and made the case for President Trump to call the Ukrainian leader prior to the parliamentary elections scheduled for July 21. In that email, as the highlighted text shows, Ambassador Sondland said the “sole purpose” of the call was to assure President Trump that investigations would be allowed to move forward. In other words, to get the Oval Office meeting, President Zelensky had to move forward on the phony political investigations, part of the scheme to cheat in the 2020 Presidential campaign—this for that.

On July 19, Ambassador Sondland spoke directly with President Zelensky. He spoke directly with President Zelensky to prepare him for a call with President Trump. Ambassador Sondland coached President Zelensky to use key phrases and reassure President Trump of Ukraine’s intention to bend to President Trump’s will with respect to the phony investigations that President Trump sought.

Ambassador Sondland told Kurt Volker that he gave the Ukrainian leader “a full briefing. He’s got it.”

That is what Sondland told Volker.

In response, Volker texted: “Most important is for Zelensky to say that he will help with the investigation.”

That same day, Ambassador Sondland emailed top administration officials, including Acting Chief of Staff Mulvaney, Secretary Pompeo, and Secretary Perry, to summarize his conversation with Zelensky. In that email, Ambassador Sondland said Zelensky is “prepared to receive POTUS’ call. Will assure him”—meaning POTUS—“that he intends to run a fully transparent investigation and will ‘turn over every stone.’”

Both Acting Chief of Staff Mulvaney and Secretary Perry responded to the email, noting that the head-of-state call would be scheduled.

Secretary Perry wrote: “Mick just confirmed the call being set up for tomorrow by NSC”—the National Security Council.

Mulvaney responded: “I asked NSC to set it up for tomorrow.”

Neither Mulvaney nor Secretary Perry took issue with the fact that Sondland coached Zelensky to yield to President Trump’s pressure campaign, but instead they took steps to connect the two leaders. Everyone was in the loop.

They were aware that during the July 20 call, President Trump intended to solicit foreign interference in the 2020 election and pressed the Ukrainian leader to announce investigations into former Vice President Biden and the CrowdStrike conspiracy theory. There was no focus on advancing America’s foreign policy or national security objectives. The only priority was President Trump’s corrupt demand for phony investigations in exchange for an Oval Office meeting—this for that.

Here is Ambassador Sondland’s testimony confirming this scheme.

(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.

Mr. Manager JEFFRIES. “Necessary in his call with President Trump.”

Now, we come to July 25, the morning of the infamous phone call—the culmination of a months-long campaign to engineer a corrupt quid pro quo.

That morning, before the call took place, President Trump provided guidance to Sondland. On the morning of July 25, he told him that President Zelensky should be prepared to announce the investigations in exchange for the White House meeting. After Sondland’s call with President Trump on the morning of July 25, Sondland urgently tried to reach Kurt Volker. When he could not reach Ambassador Volker by phone, he sent a text that said, “Call ASAP,” and he left a message.

Volker testified that he indeed received that message, which involved the following content: “President Zelensky should be clear, convincing, forthright, with President Trump about his commitment to fighting corruption, investigating what happened in the past.” That refers to the Russian-inspired fake, phony, and false conspiracy theory about Ukraine having been involved in interfering in our 2016 elections.

He continues: “And if he does that, President Trump was prepared to be reassured, that he would say yes, come on, let’s get this date for this visit scheduled.”

Ambassador Volker then conveyed that message approximately 30 minutes before the Trump-Zelensky call to Zelensky’s top aide, Andrey Yermak.

As you can see on the slide, Ambassador Volker texts Yermak, Zelensky’s guy, and says, “assuming President Z convinces Trump he will investigate/‘get to the bottom of what happened’ in 2016,” the White House meeting would get scheduled—this for that.

So President Trump talks to Ambassador Sondland. Sondland talks to Ambassador Volker. Volker talks to President Zelensky’s aide Yermak, and then the July 25 call occurs.

When Ambassador Sondland testified, he agreed with this sequence, indicating it “certainly makes sense.” Here is what Sondland had to say.

(Text of Videotape presentation:)

Mr. GOLDMAN. But the sequence certainly makes sense, right?

Amb. SONDLAND. Yeah, it does.

Mr. GOLDMAN. You talked to President Trump.

Amb. SONDLAND. Yeah.

Mr. GOLDMAN. You told Kurt Volker to call you. You left a message for Kurt Volker. Kurt Volker sent this text message to

Andriy Yermak to prepare President Zelensky, and then President Trump had a phone call where President Zelensky spoke very similar to what was in this text message. Right?

Amb. SONDLAND. Right.

Mr. 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, DC. Is that correct?

Ambassador SONDLAND. That's correct.

Mr. Manager JEFFRIES. Indeed, on the July 25 call when President Trump asked for a favor, President Zelensky was ready with the magic words. He said:

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

This for that.

"Read the transcript," President Trump says. We have read the transcript, and it is damning evidence of a corrupt quid pro quo.

The evidence against Donald Trump is hiding in plain sight. During our presentation, we walked through the serious issues presented in the plain reading of the July 25 call, but now you can see the entire content of how this corrupt parade of horrors unfolded.

The quid pro quo was discussed in text messages, emails, voicemails, calls, and meetings amongst top administration officials and top Ukrainian officials. Indeed, President Trump's message was delivered to either President Zelensky or his top aides on four different occasions in the month of July—four different occasions: on July 2, in Toronto; on July 10, at the White House; on July 19, during a call between Zelensky and Ambassador Sondland; and then on July 25, before the call with the two leaders.

Before that fateful call on July 25, President Zelensky understood exactly what needed to be done—a quid pro quo.

The evidence of President Trump's grave misconduct does not end with that July 25 call. From that point onward, President Zelensky was on notice that it was President Trump himself who demanded those two phony political investigations.

After the July 25 call, the Ukrainians followed up with President Trump's direction and began to coordinate with Rudolph Giuliani, the President's political bagman. Acting on the President's orders, U.S. diplomats, including Ambassador Sondland and Ambassador Volker, worked with Mr. Giuliani to continue pressuring Ukraine to announce the phony investigations that President Trump sought in exchange for that Oval Office meeting. This is corruption and abuse of power in its purest form.

Over the next 2 weeks, Mr. Giuliani directed Ambassadors Sondland and Volker to negotiate a public statement for President Zelensky announcing the

investigations that President Trump corruptly demanded. Here is how Ambassador Sondland described this August timeframe.

(Text of Videotape presentation:)

Ambassador SONDLAND. 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.

Mr. Manager JEFFRIES. Deputy Assistant Secretary of State George Kent described the pursuit of President Trump's corrupt demands as "infecting U.S. engagement with Ukraine." Here is his full testimony.

(Text of Videotape presentation:)

Mr. KENT. In mid-August it became clear to me that Giuliani's efforts to gin up politically-motivated investigations were now infecting U.S. engagement with Ukraine, leveraging President Zelensky's desire for a White House meeting.

Mr. Manager JEFFRIES. In short, U.S. diplomats responsible for Ukraine policy understood that Giuliani had de facto control over whether the Oval Office meeting would be scheduled and under what circumstances. Mr. Giuliani had been given that level of authority by President Trump, and it was infecting official U.S. policy toward Ukraine.

To shake loose the White House meeting, top Ukrainian officials knew that they had to meet with Mr. Giuliani, who John Bolton described as a human hand grenade who was going to blow everybody up. So, on August 2, Mr. Giuliani met with Mr. Yermak, President Zelensky's top aide, in Madrid—Giuliani, in Madrid, meeting with Zelensky's top aide on August 2. Mr. Giuliani made clear in that meeting that President Trump needed more private assurances that Ukraine would pursue the investigations. Mr. Giuliani made clear that President Trump needed a public statement.

According to Ambassador Sondland—and this is very important—President Trump did not require that Ukraine actually conduct the investigations in order to secure that White House meeting. The Ukrainian Government only needed to announce the investigations because they were phony and they were simply designed to cheat in the 2020 election, solicit foreign interference, and corrupt our democracy—to the benefit of President Trump. So the goal was not the investigations themselves but the corrupt political benefit President Trump would receive as a result of these announcements. He also wanted to shake "this Russia thing" and instead blame Ukraine with the fairytale that Ukraine interfered in the 2016 election. The facts didn't matter for President Trump; he only cared about the personal political benefit of these

sought-after investigative announcements.

Over the next few weeks, Ambassadors Sondland and Volker worked with Mr. Yermak to draft a public statement for President Zelensky to issue. Ambassador Volker was also in frequent contact with Rudy Giuliani regarding the content of that statement.

Now, Rudy Giuliani, of course, is not a Secretary of State. He is not an Ambassador. He is not a member of the diplomatic corps. He was working in the political personal interests of President Trump, interacting with Ukrainian officials.

On August 9, Ambassador Volker texted Mr. Giuliani and requested a call to update him on the progress of the negotiations for the statement and discuss the content of what it should include. Volker said that Yermak had "mentioned Z"—President Zelensky—"making a statement." He suggested that he and Mr. Giuliani "get on the phone to make sure I advise Zelensky correctly as to what he should be saying."

Later that afternoon, Ambassador Sondland suggested to Ambassador Volker that they obtain a draft statement from the Ukrainian Government "to avoid misunderstandings" or, in other words, make sure that President Trump's political objectives were met. Ambassador Sondland also reiterated that President Trump would not be satisfied by a vague statement. The Ukrainian leader needed to commit to the phony investigations in explicit terms in order to secure the sought-after Oval Office meeting—this for that.

Call records subpoenaed by the House show multiple communications between Ambassador Sondland and Mr. Giuliani on the one hand and numbers associated with the Office of Management and Budget and the White House on the other.

On August 8, around the time of direct communications between Mr. Giuliani and Mr. Yermak, Mr. Giuliani communicated repeatedly with the White House, sending or receiving six text messages and completing several calls.

Most notably, late in the evening on August 8, Mr. Giuliani called the White House in a highly distinctive pattern.

At 8:53 p.m., Giuliani texted a White House number.

At 10:09, a number identified only as "-1" in the White House call records called Mr. Giuliani five times in rapid succession.

Two minutes later, Mr. Giuliani attempted to return the call, trying an Office of Management and Budget number, then the White House Situation Room, and then the White House switchboard.

At 10:28, 16 minutes after Mr. Giuliani tried to call the White House back, frantically—Situation Room, Office of Management and Budget, switchboard—16 minutes after Mr.

Giuliani tried to call the White House back, Giuliani and the -1 number connected for 4 minutes 6 seconds.

We should be clear. We do not know what Mr. Giuliani said or even whom he talked to. We do not know who was on the other end of that mysterious call with the -1. President Trump refused to produce documents and ordered key witnesses not to testify, hiding part of the truth from the American people. He obstructed our congressional investigation. But we do know that Rudolph Giuliani frantically called the White House late into the night. We do know that he talked to someone at 1600 Pennsylvania Avenue, and we know that Mr. Giuliani likely talked about the drug deal that John Bolton characterized.

Over the next few days, President Zelensky's aide, Mr. Yermak, exchanged drafts of the public statement with Ambassadors Volker and Sondland, who consulted on these drafts with Mr. Giuliani. The Ukrainian officials appeared to finally relent. They agreed to Mr. Giuliani's specific language about the phony political investigations in exchange for the Oval Office meeting.

On August 10, Yermak texted Volker that the Ukrainians were willing to make the requested statements but only if they received a date for the White House meeting first. Mr. Yermak texted: "I think it's possible to make this declaration and mention all these things." Yermak, again, is Zelensky's top guy. He later wrote that the statement would come out "after we receive a confirmation of date" for the White House visit.

Ambassador Volker counterproposed: They would iron out the statement in private, use that to get the date for the meeting in the Oval Office, and then President Zelensky would make the public statement—this for that.

Mr. Yermak countered: "Once we have a date, will call for a press briefing, announcing upcoming visit and outlining vision for the reboot of the US-UKRAINE relationship, including, among other things, Burisma and election meddling in investigations." That was the specific reference to President Trump's corrupt demands.

Two days later, Mr. Yermak sent the draft statement, but the statement did not reference Burisma or the 2016 election. As soon as Mr. Yermak sent the statement, what did Ambassadors Sondland and Volker do? They sought a call with Rudolph Giuliani to see if the statement would suffice. They needed to check in with Mr. Giuliani, who was leading the charge to lock down the corrupt quid pro quo.

Let's listen to Ambassador Volker.  
(Text of Videotape presentation:)

Ambassador VOLKER. This is the first draft of that from Mr. Yermak after the conversations that we had.

Mr. GOLDMAN. And it does not mention Burisma or the 2016 election interference, correct?

Ambassador VOLKER. It does not.

Mr. GOLDMAN. And you testified in your deposition that you and Ambassador

Sondland and Mayor Giuliani had a conversation about this draft after you received it. Is that right?

Ambassador VOLKER. That is correct.

Mr. GOLDMAN. And Mr. Giuliani said that if the statement did not include Burisma and 2016 election, it would not have any credibility. Is that right?

Ambassador VOLKER. That's correct.

Mr. Manager JEFFRIES. Mr. Giuliani, acting on behalf of President Trump, made clear that the statement from the Ukrainians had to target Vice President Biden—for reasons outlined earlier today—and it had to mention the conspiracy theory about Ukraine interfering in the 2016 election.

After Mr. Giuliani conveyed this on the telephone call, Ambassadors Volker and Sondland texted Mr. Yermak and requested a call to convey that message. Ambassador Volker says: "Hi Andrej—we spoke with Rudy. When is good to call you?" And Ambassador Sondland makes clear the urgency, texting: "Important. Do you have 5 minutes?"

Now, Ambassador Volker made clear to Mr. Yermak that the statement needed the two key items Mr. Giuliani required for the President.

Here is Ambassador Volker's testimony to that effect.

(Text of Videotape presentation:)

Amb. VOLKER. Hi, Andre. Good talking. Following is text with insert at the end for the two key items. We will work on official request.

Mr. GOLDMAN. And then you will see the highlighted portion of the next text. The other is identical to your previous one and then it just adds including the . . . Including Burisma and the 2016 elections. Is that right?

Amb. VOLKER. That is correct.

Mr. GOLDMAN. And that was what Mr. Giuliani insisted on adding to the statement?

Amb. VOLKER. That's what he said will be necessary for that to be credible.

Mr. GOLDMAN. And the Ukrainians ultimately did not issue the statement. Is that right?

Amb. VOLKER. That is correct.

Mr. GOLDMAN. And President Zelensky ultimately did not get the Oval Office meeting either, did he?

Amb. VOLKER. Not yet.

Mr. Manager JEFFRIES. President Zelensky is still waiting for that Oval Office meeting.

Ronald Reagan, in a speech that he delivered in 1987 at the foot of the Berlin Wall, in the midst of the Cold War, said to the world:

East and West do not mistrust each other because we are armed. We are armed because we mistrust each other. And our differences are not about weapons. It's about liberty.

The Trump-Ukraine scandal is certainly about weapons. It is about the unlawful withholding of \$391 million in security aid. It is about a withheld, sought-after Oval Office meeting. It is about trying to cheat in the 2020 election. It is about corrupting our democracy. It is about undermining America's national security. It is about a stunning abuse of power. It is about obstruction of Congress. It is about the need for us here in this great Chamber to have a fair trial with witnesses and

evidence. It is about a corrupt quid pro quo.

Perhaps, above all, it is about liberty, because in America, for all of us, what keeps us free from tyranny is the sacred principle that in this great country no one is above the law.

Ms. Manager GARCIA of Texas. Mr. Chief Justice, Senators, President's counsel, we have reviewed the mountain of evidence that proves the President's official act in his scheme: the corrupt bargain of a White House meeting in exchange for Ukraine announcing sham political investigations.

You heard from each relevant witness with firsthand knowledge of the President's corrupt scheme—Sondland, Taylor, Volker, Hill, and Vindman—that there was a corrupt deal: an Oval Office meeting for investigations—quid pro quo, this for that.

You also saw inescapable documentary proof that clearly proves a corrupt quid pro quo. The evidence is consistent, corroborated. It comes in many forms, from many individuals who are lifelong public servants with no motivation to lie. In short, the evidence is overwhelming.

Given how much we have gone through, let's review some of those career public servants' testimony, who state clearly that they too believed it was a quid pro quo—a this for that—because it is really powerful to hear directly from them.

Let's watch Ambassador Taylor.

(Text of Videotape presentation:)

Amb. TAYLOR. By mid-July, it was becoming clear to me that the meeting President Zelensky wanted was conditioned on the investigations of Burisma, and alleged Ukrainian interference and the 2016 U.S. elections. It was also clear that this condition was driven by the irregular policy channel I had come to understand was guided by Mr. Giuliani.

Ms. Manager GARCIA of Texas. It was clear that these were conditions driven by irregular policies. We know this too because Ambassador Sondland said so at the July 10 meeting. Dr. Fiona Hill described the scene in Ambassador Bolton's office, where the quid pro quo was made clear.

Let's watch.

(Text of Videotape presentation:)

Dr. HILL. Ukrainian Mr. Danylyuk starts to ask about a White House meeting, and Ambassador Bolton was trying to parry this back. Although he's the National Security Advisor, he's not in charge of scheduling the meeting. We have input recommending the meetings, and this goes through a whole process. It's not Ambassador Bolton's role to start pulling out the schedule and start saying, "Right, well, we're going to look and see if this Tuesday in this month is going to work with us." And he does not as a matter of course like to discuss the details of these meetings, he likes to leave them to, you know, the appropriate staff for this. So, this was already going to be an uncomfortable issue.

As Ambassador Bolton was trying to move that part of the discussion away, I think he was going to try to deflect it onto another wrap-up topic, Ambassador Sondland leaned in basically to say, "Well, we have an agreement that there will be a meeting, and the

specific investigations are put underway.” And that’s when I saw Ambassador Bolton stiffen. I was sitting behind him in the chair, and I saw him sit back slightly like this. He’d been more moving forward, like I am, to the table. And, for me, that was an unmistakable body language, and it caught my attention. And then he looked up to the clock and, you know, at his watch, or at his wrist in any case. Again, I am sitting behind him . . . and basically said, “Well, you know, it’s been really great to see you. I’m afraid I’ve got another—another meeting.”

Ms. Manager GARCIA of Texas. “Ambassador Bolton stiffened”—quite a description. Lieutenant Colonel Vindman’s testimony is consistent with Dr. Hill’s recollection of the July 10 meeting, and that it was made clear that the deal for the White House meeting was investigations.

Let’s watch Lieutenant Colonel Vindman

(Text of Videotape presentation:)

Mr. GOLDMAN. I want to move now to that July 10th meeting that you referenced, Colonel Vindman. What exactly did Ambassador Sondland say when the Ukrainian officials raised the idea of a White House meeting?

Lt. Col. VINDMAN. As I recall, he referred to specific investigations that the Ukrainians would have to deliver in order to get these meetings.

Ms. Manager GARCIA of Texas. Lieutenant Colonel Vindman, firsthand knowledge—they would have to deliver in order to get these meetings.

It was also clear that this wasn’t about general investigations about corruption. This wasn’t about corruption at all. Ambassador Sondland directed everyone—including the Ukrainian officials—to reconvene in the Ward Room, where he discussed the arrangement he had reached with Mr. Mulvaney in more detail. He made clear that it was about specific investigations that would benefit President Trump personally.

Here is Lieutenant Colonel Vindman testifying, where he explains that Ambassador Sondland referred to the Bidens, Burisma, and the 2016 election, which had nothing to do with national security policy.

Let’s watch.

(Text of Videotape presentation:)

Mr. GOLDMAN. Were the investigations, the specific investigations that Ambassador Sondland referenced in the larger meeting, also discussed in the Ward Room meeting?

Lt. Col. VINDMAN. They were.

Mr. GOLDMAN. And what did Ambassador Sondland say?

Lt. Col. VINDMAN. Ambassador Sondland referred to investigations into the Bidens, Burisma, and 2016.

Mr. GOLDMAN. How did you respond, if at all?

Lt. Col. VINDMAN. I said that this request to conduct these meetings was inappropriate—these investigations was inappropriate and had nothing to do with national security policy.

Ms. Manager GARCIA of Texas. “Nothing to do with national security policy”—that about some sums it up. Doesn’t it? It has nothing to do with national security policy. President Trump’s scheme was for his personal

interest, not national security. And his testimony, once again, is corroborated.

Dr. Hill joined the Ward Room conversation later and also recalled the discussion of investigations and a White House meeting, and that Lieutenant Colonel Vindman said: “This is inappropriate. We’re the National Security Council; we can’t be involved in this.”

Here is her testimony.

(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 in 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. I could see why Colonel Vindman was alarmed. And he said: “This is inappropriate. We’re the National Security Council; we can’t be involved in this.”

Ms. Manager GARCIA of Texas. And what’s more, as Ambassador Sondland told us, everyone was in the loop—meaning, it became clear that President Trump was directing this.

Dr. Hill, who at one point confronted Gordon Sondland over this arrangement, further reached the conclusion that he was acting on the President’s orders and coordinating with other senior officials. He had made this clear: he was briefing the President on all this.

Here is Dr. Hill’s testimony. Let’s watch.

(Text of Videotape presentation:)

Dr. HILL. So, I was upset with him that he wasn’t fully telling us about all of the meetings that he was having. And he said to me: “But I’m briefing the president. I’m briefing Chief of Staff Mulvaney. I’m briefing Secretary Pompeo and I’ve talked to Ambassador Bolton. Who else do I have to deal with?”

And the point is we have a robust inter-agency process that deals with Ukraine. It includes Mr. Holmes, it includes Ambassador Taylor as, the Charge in Ukraine, it includes a whole load of other people. But it struck me when yesterday, when you put up on the screen Ambassador Sondland’s emails and who was on these emails and he said, these [are] the people who need to know, that he was absolutely right. Because he was being involved in a domestic political errand, and we were being involved in national security foreign policy. And those two things had just divulged.

Ms. Manager GARCIA of Texas. The evidence is very clear: The White House meeting would only be scheduled if Ukraine announced the investigations that everyone, including the Ukrainians, understood to be purely political efforts to benefit the President. The only way to come to a different conclusion is to ignore the evidence.

One additional way you can tell that this conduct is truly corrupt, and not U.S. foreign policy as usual, is that these officials—these lifetime, career public servants—didn’t just testify

about this in impeachment proceedings. They contemporaneously reported this conduct in realtime.

Their reactions illustrate that this was not the kind of thing that both parties do when they have the White House. This was something different, something corrupt, something “insidious,” to use Ambassador Sondland’s characterization in later testimony.

The officials who instinctively recoiled from the corrupt deal that Sondland blurted out were distinguished patriotic public servants.

Let’s go through some specific examples of that evidence.

After the July 10 meeting we just talked about, where Ambassador Sondland made clear the agreement that the White House meetings were conditioned on the investigations, Dr. Hill consulted with Ambassador Bolton and told him what she had heard. Ambassador Bolton gave her, as she put it, a “very specific instruction” to report this conduct in realtime, and she did.

Here is her testimony. Let’s watch.

(Text of Videotape presentation:)

Dr. HILL. The specific instruction was that I had 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.

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

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

Mr. GOLDMAN. Did you go speak to the lawyers?

Dr. HILL. I certainly did.

Ms. Manager GARCIA of Texas. Again, investigations for a meeting, the quid pro quo.

Consistent with Dr. Hill’s recounting, after both the July 10 meeting and the July 25 call, Lieutenant Colonel Vindman reported what he had learned through the lawyers.

Here he is discussing that later interaction. Let’s see it.

(Text of Videotape presentation:)

Mr. MALONEY. And you went immediately, and you reported it, didn’t you?

Col. VINDMAN. I did.

Mr. MALONEY. Why?

Col. VINDMAN. Because that was my duty.

Ms. Manager GARCIA of Texas. When Vindman said he reported this conduct, again, “because that was my duty,” he acted as he did out of a sense of duty and as a Purple Heart veteran, with confidence that in America he would be protected for doing the right thing even if it angered the President of the United States.

His father, who fled the Soviet Union to come to this country, worried about his son fulfilling that duty.

Here was Colonel Vindman’s message to his father. Let’s listen.

(Text of Videotape presentation:)

Lt. Col. VINDMAN. Dad, my sitting here today in the U.S. Capitol talking to our elected officials is proof that you made the right decision 40 years ago to leave the Soviet Union to come here to the United States

of America in search of a better life for our family. Do not worry. I'll be fine for telling the truth.

Mr. MALONEY. You realize when you came forward out of a sense of duty that you were putting yourself in direct opposition to the most powerful person in the world? Do you realize that, sir?

Lt. Col. VINDMAN. I knew I was assuming a lot of risk.

Mr. MALONEY. And I'm struck by the word . . . that phrase, "do not worry," you addressed to your dad. Was your dad a warrior?

Lt. Col. VINDMAN. He did serve. It was a different military though.

Mr. MALONEY. And he would've worried if you were putting yourself up against the President of the United States, is that right?

Lt. Col. VINDMAN. He deeply worried about it because in his context it was the ultimate risk.

Mr. MALONEY. And why do you have confidence that you can do that and tell your dad not to worry?

Lt. Col. VINDMAN. Congressman, because this is America. This is the country I've served and defended, that all of my brothers have served, and here right matters.

Mr. MALONEY. Thank you, sir. I yield back. [applause].

Ms. Manager GARCIA of Texas. Imagine. He had to tell his father: Do not worry; I will be fine for telling the truth. It was his duty because, in America, right matters.

President Trump has suggested that all of the witnesses are Never Trumpers. That couldn't be further from the truth. As we just saw, these U.S. officials are brave public servants. It is wrong—just flat wrong—to suggest they were doing anything other than testifying out of a sense of duty, as Lieutenant Colonel Vindman testified.

But it wasn't just U.S. officials whose reactions show us that this was wrong; it is also clear how corrupt this scheme was because Ukraine resisted it. President Zelensky was elected as a reformer. His first few months in office lived up to this promise.

Here is Ambassador Taylor testifying on this point. Let's see it.

(Text of Videotape presentation:)

Ambassador TAYLOR. But once I arrived in Kyiv, I discovered a weird combination of encouraging, confusing, and ultimately alarming circumstances.

First, the encouraging. President Zelensky was reforming Ukraine in a hurry. He appointed reformist ministers and supported long-stalled anti-corruption legislation. He took quick executive action, including opening Ukraine's High Anti-Corruption Court. With a new parliamentary majority stemming from snap elections, President Zelensky changed the Ukraine Constitution to remove absolute immunity from Rada deputies, the source of raw corruption for two decades. The excitement in Kyiv was palpable. This time could be different, a new Ukraine finally breaking from its corrupt, post-Soviet past.

Ms. Manager GARCIA of Texas. So we know that President Zelensky was a reformer, fighting corruption, fighting for reform, and he got started early, as soon as he was sworn in. We know that President Zelensky's agenda was in our U.S. national interest. In fact, every witness testified that President Zelensky deserved America's support

and that they told President Trump that.

So keeping that in mind, it is extremely telling what President Zelensky and his aides were saying behind closed doors. They were concerned about being dragged into President Trump's scheme. They recognized the political peril of going along with the President's corrupt scheme. We know that was the case for many reasons, but let's look at some of the evidence showing that now.

First, the Ukrainians made their concerns clear directly to U.S. officials. On July 20, just days ahead of the July 25 call, Ambassador Taylor spoke with President Zelensky's national security advisor. He then conveyed to Ambassadors Sondland and Volker that the Ukrainian leader "did not want to be used as a pawn in a U.S. reelection campaign."

Here is Ambassador Taylor explaining what he understood that to mean. Let's watch.

(Text of Videotape presentation:)

Mr. 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 this point clear in several instances in the beginning—in the springtime. And Mr. Danyliuk was aware that that was a problem.

Mr. 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 type of activities.

Ms. Manager GARCIA of Texas. As the slide shows, on July 21, Ambassador Taylor relayed the same message to Ambassadors Volker and Sondland, making clear that "President Zelensky is sensitive about Ukraine being taken seriously, not merely as an instrument in Washington domestic politics."

But Ambassador Sondland did not back down. Instead, Ambassador Sondland reinforced the importance that President Zelensky reassure President Trump of his commitment to investigations. He said: "Absolutely, but we need to get the conversation started and the relationship built, irrespective of the pretext. I am worried about the alternative." The "pretext" that Ambassador Sondland referred to was President Trump's requirement that Ukraine announce investigations that would benefit him personally and politically. He wanted help in cheating.

It wasn't just Ambassador Taylor. Deputy Assistant Secretary George Kent, too, testified that Ukraine was "very uncomfortable" when the issue of investigations was raised during the negotiations of the statement in August of 2019.

As the slide shows, Mr. Kent said:

I had a conversation with Chargé Taylor in which he . . . indicated that Special Representative Volker had been engaging Andriy Yermak; that the President and his private attorney Rudy Giuliani were interested in the initiation of investigations and that Yermak was very uncomfortable when this was raised with him, and suggested that if that were the case, if that were really the position of the United States, it should be done officially and put in writing . . . And I told Bill Taylor, that's wrong, and we shouldn't be doing that as a matter of U.S. policy.

When asked, "What did he say?" Mr. Kent said, "He said he agreed with me."

What is also important to note here is why. Ukraine made this clear. If the United States was asking them for investigations, especially investigations that made them uncomfortable, they should be done "officially" and "put in writing."

Mr. Kent's testimony shows that. He said:

Yermak was very uncomfortable when this was raised with him, and suggested that if that were the case, if that were really the position of the United States, it should be done officially and put in writing.

And this wasn't the only time. On August 13, Mr. Yermak asked Ambassador Volker "whether any requests had ever been made by the U.S. to investigate election interference in 2016."

Now, this makes sense. Normally, if something is actually about official U.S. policy, the President would go through official U.S. channels, but, as we have seen here, he didn't. His personal attorney made this—this wasn't about foreign policy; it was something that would benefit President Trump personally.

The administration officials made this clear too. There was undisputed testimony that the investigations were not part of U.S. policy. In fact, they diverged with the U.S. national security and our Nation's values. The Department of Justice has made this crystal clear in public statements. There has never been an official asked officially to do any of these investigations. And that is how we know this is so very wrong.

Even Ukraine, a struggling, new country, knew this was wrong, and they stood up to President Trump and said no. Yermak—remember, he was Zelensky's chief aide—was basically saying: You want an investigation? Please send us a formal request from DOJ. Show us you are willing to stand behind the legitimacy of what you are asking. But Ambassador Volker was unable to provide that information. And that is why—even though the White House meeting was so critical to Ukraine, even though Ukraine needed it so desperately—they still wouldn't make the statement with key additions: President Trump's political investigations, which were solely to help his reelection and had nothing to do with foreign policy.

President Zelensky tried in different ways to resist the pressure of becoming



a “pawn” in U.S. politics. Even though the Oval Office meeting was important, Zelensky repeatedly tried to find a way around committing to the investigations that President Trump demanded—or at the very least, schedule it before taking any official action. This is what you saw in the negotiation over the statement in August, and this is why even President Trump’s second official act—withholding the White House meeting—was not enough to make Ukraine do his dirty work.

Senators, we are coming to the end of a section of the presentation regarding the withholding of the White House meeting. So I want to just quickly remind us one last time about the central points that we have covered.

President Trump exercised his official power when he withheld an Oval Office meeting that was critical to Ukraine, and he did this for only one reason and one reason only: President Trump conditioned that Oval Office meeting on Ukraine’s announcing investigations that would help him politically. This had nothing to do with official U.S. policy. President Trump directed U.S. officials who were supposed to work for the American people to work, instead, with his personal agent, Rudy Giuliani, and focus only on his personal political interests.

Acting on behalf of the President and with the President’s full knowledge, Mr. Giuliani worked with those U.S. officials to carry out the President’s scheme. They pressured the Ukrainian Government to act as a personal opposition research firm for President Trump. They tried to use a foreign government to dig up dirt on his client’s rival, former Vice President Biden, an American citizen—all so President Trump could win his election. They made clear that Ukraine would not get the official U.S. Government support it so desperately needed—support that the President’s national security team conveyed was necessary to advance our own national security objectives—unless President Zelensky announced the sham investigations.

Remember that an abuse of power occurs when a President corruptly exercises official power to obtain a personal benefit in a way that ignores or injures the national interest.

Senators, that is exactly what happened here. By withholding a White House meeting, President Trump used official power to corruptly pressure Ukraine. Indeed, the entire quid pro quo—the “this for that”—the entire campaign to use the Oval Office meeting as some kind of asset for the President’s reelection campaign—was corrupt. U.S. officials knew this. Ukrainians knew this too. I think, deep down, we all know it, and I think the American people know it.

Senators, I ask you this one question: Is that not an abuse of power? Was it OK? If it is not an abuse of power, then what is? Is it OK to withhold official acts from a foreign country until that foreign country assists in your reelection effort?

If any other public official did that, he or she would be held accountable. I know, if one of us did that, we would be held accountable. The only way to hold this President accountable is right here in this trial. Otherwise, you would be telling Ukraine and the world that it is OK for the President to use our Oval Office and this country’s prestige and power for himself instead of for the American people.

If we allow this gross abuse of power to continue, this President will have free rein to abuse his control of U.S. foreign policy for personal interests and so would any other future President. Then this President and all Presidents become above the law. A President could take the powers of the greatest office in this land and use those powers not for the country, not for the American people but for him or herself.

I ask you to make sure this does not happen because, in this country, no one—no one—is above the law.

(The above statement is spoken in Spanish.)

I now yield to Mrs. DEMINGS.

The CHIEF JUSTICE. The majority leader is recognized.

RECESS

Mr. MCCONNELL. Mr. Chief Justice, the House managers have requested a 5-minute break.

There being no objection, the Senate, at 8:19 p.m., recessed until 8:38 p.m. and reassembled when called to order by the CHIEF JUSTICE.

The CHIEF JUSTICE. The majority leader is recognized.

Mr. MCCONNELL. Mr. Chief Justice, if I may, one brief announcement: In the morning, there will be a coronavirus briefing for all Members at 10:30. Senator ALEXANDER and Senator MURRAY are involved in that. The location will be emailed to your office.

Mrs. Manager DEMINGS. Chief Justice Roberts, Senators, and counsel for the President, we have now been through the first two official acts by the President. But neither of those official acts got the President what he wanted—help in his reelection campaign. So he turned to another official act to turn up the pressure even more— withholding nearly \$400 million of vital military assistance to Ukraine in exchange for the investigations.

Withholding military assistance to Ukraine made the original abuse of power, soliciting foreign interference in our elections, that much worse. But it was also in and of itself an abuse of power. And not only that, it violated the law. It was illegal.

The Government Accountability Office, a nonpartisan, independent agency, concluded that President Trump’s hold on the security assistance clearly violated the Empowerment Control Act, a law that Congress enacted to curb President Nixon’s own abuse of power.

President Trump may not like it, but once a law is passed, the President cannot change that law without coming back to us, the Congress.

And President Trump did not just break the law, he jeopardized our national security, because Ukraine’s national security is our national security. How? Because a free and democratic Ukraine is a shield against Russian aggression in Europe. That has been one of America’s most important foreign policy and national security goals since World War II. Freedom, liberty, democracy—those values keep us safe.

Let us now explain how President Trump’s improper withholding of military assistance was clearly done to pressure Ukraine to announce the two baseless investigations—a gross abuse of power.

First, we will briefly describe how important the military aid was to Ukraine’s defense against Russian aggression, which affects our security.

Second, we will explain how President Trump used the power of his office to freeze military aid to Ukraine in a way meant to conceal it from Congress.

And third, we will present the overwhelming evidence that President Trump ordered the hold for a corrupt purpose: to pressure Ukraine to announce two investigations that would personally benefit his own reelection effort.

Let us start with the importance of the aid to our—the United States’—national security. The United States has supported Ukraine since it secured independence from the Soviet Union in 1991. Our support was critical to convince Ukraine to forgo its pursuit of a nuclear arsenal in 1994. We promised them that we would defend them if necessary. But our support became truly vital in 2014, when Ukraine revolted against its Russian-friendly President, Viktor Yanukovich. Ukrainian citizens rose up in protest, demanding democratic reforms and an end to corruption. The protests, rightly known as the Revolution of Dignity, removed the pro-Kremlin President.

Russia responded by using its own military forces and proxies in Ukraine to invade Ukraine. This was the first effort to redraw European boundaries by military force since World War II.

The war was devastating to Ukraine and remains so today. Approximately 7 percent of Ukraine’s territory is now occupied by Russia. Approximately 15,000 people have been killed as a result of the conflict, and over 1.4 million people have been displaced.

In response to Russia’s invasion of Ukraine, the United States and our allies imposed sanctions on Russian individuals and entities and agreed to provide billions of dollars in assistance to support Ukrainian sovereignty and democratic development.

We understood immediately, Democrats and Republicans alike, that Ukraine’s safety and security was directly tied to our safety and security. With this all in mind, since 2014, the United States has delivered roughly \$1.5 billion in security assistance and another \$1.5 billion in other assistance

to our ally Ukraine. Our allies in Europe have provided approximately \$18 billion in loans and grants since 2014.

As we have explained, the U.S. assistance comes partially from the Department of Defense, which provides important military support. It comes partially from the State Department, which helps Ukraine purchase military services or equipment manufactured by American companies in the United States.

Ambassador Taylor explained how security assistance counters Russian aggression and can help shorten the war in the east. Here is his testimony:

(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 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 numbers of Ukrainians who would die.

Mrs. Manager DEMINGS. Congress imposed certain conditions on the DOD assistance. Those conditions require DOD to hold half of the money in reserve. To release all of the funds, DOD, in coordination with the State Department, must conduct a review and certify to Congress that Ukraine has done enough to fight corruption.

President Trump may argue that the conditions imposed by Congress are similar to the hold he placed on aid to Ukraine. As Mick Mulvaney said, “[w]e do that all the time.” But let us be very clear: These types of conditions, which are often included in appropriations bills, are designed to promote official U.S. policy, not the policy of one individual or one President. This is exactly the type of permissible condition on aid that Vice President Biden was implementing when he required that Ukraine fire its corrupt prosecutor general before getting a loan guarantee.

Prior to 2019, the Trump administration provided security assistance to Ukraine without incident. Even under the previous Ukrainian administration of President Petro Poroshenko—which suffered from serious corruption—President Trump allowed \$510 million in 2017 and \$359 million in 2018 to flow unimpeded to Ukraine.

But in the summer of 2019, without any explanation, President Trump abruptly withheld the security assistance for Ukraine.

So what had changed by July of 2019? Congress had appropriated the funds. President Trump had signed this into law. The Department of Defense had certified that Ukraine was meeting the required anti-corruption reforms. In

fact, DOD had begun to spend the funds. So what happened?

Well, in April, two critical things happened. First, Joe Biden publicly announced his campaign for President. Second, the Mueller investigation concluded that Russia interfered in the 2016 U.S. elections to assist the Trump campaign and that the Trump campaign had extensive contacts with Russians and even took advantage of some of the Russian efforts. The evidence shows that the only reason—the only logical reason, and we deal in what is reasonable—President Trump withheld the aid was to undermine these threats to his political future.

As we have discussed, security assistance to Ukraine has broad bipartisan support from Congress, as well as every agency within the President's own administration.

Let us be clear about something. The money mattered to Ukraine. It mattered to Ukraine. Witness testimony revealed that this money was 10 percent of Ukraine's defense budget—10 percent.

Now imagine if President Trump just decided without cause or explanation to hold 10 percent of our own defense budget. That would have a dramatic impact on our military. It certainly did to Ukraine, our ally.

Keep in mind, too, that President Trump had to sign the bill into law, which he did in September of 2018. At no time—at no time—through the congressional debate or passage of the bill did the White House express any concerns about the funding or the program itself.

I want you to see the slide before us. It shows President Trump signs the bill authorizing aid to Ukraine for fiscal year 2019.

On June 18, President Trump's own Department of Defense certified that Ukraine had met all of the anti-corruption requirements necessary to receive aid. And do you know what? The Department of Defense announced that the money was on its way, just as we, the United States of America, had promised.

Senators, our word must continue to mean something. Our word must continue to mean something powerful in the world. So let us make certain that America continues to live up to its promise.

Ms. Manager LOFGREN. Mr. Chief Justice and Senators, thank you so much for the attention that you have given to our presentation throughout this day. It is a long day. You are here without your cell phones or any access to other information. It is not easy, but you are paying attention, and the country and the managers thank you for that.

We have just gone through the importance of security assistance to Ukraine to our national security and the clear consensus among Congress, the Executive, and the President's agencies and advisers that the aid should be released to Ukraine. In fact,

by June 18, after having certified that Ukraine had met all the anti-corruption reform requirements to receive the aid, DOD announced its intention to provide the \$250 million in security assistance to Ukraine.

This brings us to the second part of this section of our argument.

Soon after that June 18 press release, President Trump quickly moved to stop the aid from flowing. He did this with no explanation, against the clear consensus of his advisers and his agencies, and against our Nation's security interests. He was so determined to do it in order to pressure Ukraine to do his political dirty work that he was willing to violate the law, something his own officials were well aware of and worried about.

How do we know the President ordered the hold? First, there is no real dispute that the President ordered the hold. The hold on security assistance to Ukraine was a unilateral official act by the President. Immediately after the DOD's June 18 press release announcing the \$250 million in security assistance funds for Ukraine, President Trump started asking questions about the funding program. Laura Cooper from DOD and Mark Sandy from OMB testified about this sudden interest in Ukraine security assistance, something that Cooper called unusual.

We, of course, have received no documents from OMB and DOD because of the President's obstruction. Why did the President want to hide these documents? We don't know, but thanks to Freedom of Information Act lawsuits and hard-working reporters, we know a little from the documents that we do have.

For instance, we know that the day after the DOD press release, the President asked for information about the Ukraine aid. On June 19, Michael Duffey, the Associate Director for National Security Programs at OMB, sent an email to Elaine McCusker, the DOD comptroller, with an article by the Washington Examiner reporting: “Pentagon to send \$250M in weapons to Ukraine.”

In Duffey's email, he asked McCusker the following question:

The President has asked about this funding release, and I have been tasked to follow-up with someone over there to get more detail. Do you have insight on this funding?

It seems that on June 19, Robert Blair, Mick Mulvaney's deputy, called Acting OMB Director Russell Vought to discuss Ukraine's security assistance. He told him: “We need to hold it up.”

That is right. The hold was actually directed impulsively without any policy or agency review as soon as President Trump learned about it from a press release.

We know what was on the President's mind about Ukraine that day because President Trump gave a phone interview with Sean Hannity on FOX News. During the interview, he mentioned the so-called CrowdStrike conspiracy theory that blames Ukraine rather than



Russia for interfering in the 2016 election. Remember, President Trump raised the CrowdStrike theory a month later during his July 25 call with President Zelensky. Of course—and this has been said many times—that theory has been completely refuted by U.S. intelligence agencies, as well as the President's own handpicked senior advisers.

The New York Times also reported that on June 27, Mick Mulvaney sent Blair an email. Mulvaney wrote:

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

What was Blair's response to Mulvaney? That it was possible to hold security assistance, but he warned: "Expect Congress to become unhinged."

Blair, who previously worked for Congress, knew that Congress would be "unhinged" because there was overwhelming bipartisan support for Ukraine. Congress had already authorized the release of the funds. DOD had already told Congress and the world that it was going to spend the \$250 million on Ukraine security assistance, and it had already started to do so.

Mark Sandy, the senior career official at OMB responsible for this type of aid, couldn't recall any other time in his 12-year career at OMB when a hold was placed on security assistance after a congressional notification was made.

Later, if the President's counsel starts listing other times that aid has been held, ask yourself three questions.

One, had Congress already cleared the money to be released; two, was there a significant geopolitical development in that country; and three, did the GAO determine that the hold was illegal, in part, because Congress was not notified?

Here, the money had been cleared. There was nothing new or important in Ukraine to disrupt the aid—just that a true anti-corruption reformer was elected. The hold was illegal.

From freedom of information releases and press reports, we know about just a few of the many documents being hidden from you about how the hold began. Given President Trump's obstruction with the facts that have come to light through the Freedom of Information Act lawsuits and news reporting, you may assume the documents that are being withheld would probably incriminate the President; otherwise, why wouldn't he have provided them? If he had a legitimate executive privilege claim, he could follow the rules and make each claim. Instead, he just said no—no to everything.

By mid-July, the President had put a hold on all the money. Jennifer Williams, special adviser to Vice President PENCE for Europe, learned about the hold on July 3. She said it came "out of the blue" and hadn't previously been discussed by OMB or the National Security Council. The hold was never discussed with any policy experts in any of the relevant agencies.

That is remarkable. President Trump ordered a hold on congressionally appropriated funds without the benefit of any interagency deliberation, consultation, or advice. The evidence shows the President's hold was an impulsive decision unrelated to any American policy.

On July 12, Robert Blair, Mulvaney's deputy, emailed Duffey at OMB. He said "the President is directing a hold on military support funding for Ukraine." This is according to Sandy, the career officer at OMB who got a copy of the email.

Now, we don't have a copy of the email because of the President's obstruction, but here is what we do know from Mr. Sandy's description of the email, as well as testimony from other witnesses. The hold was not part of a larger review of foreign aid. We do know it was not the result of a policy debate about what was best for America. It came "out of the blue." We now know why it was done: to turn the screws on Ukraine to provide political help for the President.

The hold was immediately suspect simply because of its timing. Duffey later asked Blair about the reason for the hold. Blair gave no explanation. Instead he said "we need to let the hold take place" and then "revisit" the issue with the President. Blair either didn't know the reason or wouldn't share the real reason because it was corrupt. It sure would be nice to know what Blair knew about the reason for the hold and what Duffey knew. We could ask them the question if you authorize a subpoena.

Now, we had hoped, as we said, that the Senate would authorize subpoenas before our arguments were made. We thought it would have been helpful. But we know that you will have another opportunity to call witnesses, to require documents, and we hope that your decision will be informed by the arguments we are making to you over these days and that you will, in fact, get the full story.

Well, we do know actually the reason why the President did what he did. We know the President held the money. It wasn't because of any policy reason to benefit America or any concern about corruption in Ukraine or any desire for more burden-sharing from other countries. It was because the President was upset that Ukraine was not announcing the investigations that he wanted because he wanted to ramp up pressure to force them to do it.

From the very beginning, it was clear the hold was not in America's national interest. Those within the U.S. Government responsible for Ukraine security and for shaping and implementing U.S. foreign policy were caught off guard by the President's decision. Support for the aid and against the hold was unanimous, forceful, and unwavering. The President can call Ukraine policy experts "unelected bureaucrats" all he wants, but those are officers charged with implementing his official policy developed by the President himself,

which was also a product of congressional action.

Anyway, it wasn't just the career officers. President Trump's own politically appointed senior officials—his Cabinet members—also opposed the hold. Why? Because it was against our national interest.

But the President wasn't persuaded by arguments about national interest. Why? Because the hold had nothing to do with the national interest. It had to do with the interest of just one person, Donald J. Trump.

The demand for Ukraine to announce these investigations was not a policy decision but a personal decision by the President to benefit his own personal interest. At an NSC-led meeting on July 8, OMB announced that President Trump had directed a hold on Ukraine security assistance. The news shocked meeting participants. Ambassador Taylor testified that he and others on the call "sat in astonishment" when they learned about the hold. He immediately "realized that one of the key pillars of our strong support for Ukraine was threatened."

David Holmes, political counselor at the U.S. Embassy in Kyiv, testified he was "shocked" and thought the hold was "extremely significant" because it undermined what he understood to be longstanding U.S. policy in Ukraine. Catherine Croft, the State Department special adviser for Ukraine, testified that the announcement "blew up the meeting."

Deputy Assistant Secretary of State George Kent said, "There was great confusion among the rest of us because we didn't understand why that had happened." He explained: Since there was unanimity about this security assistance to Ukraine, it was in our national interest, it just surprised all of us.

The policy consensus at this and later NSC meetings was clear. With the exception of OMB, which was following the direction of the President, everyone supported lifting the hold. All the way up to the No. 2 officials at the agencies—the political appointees of President Trump—there was unanimous agreement that the hold was ill-advised and the aid should be released.

Tim Morrison, national security adviser to John Bolton, understood that the most senior appointed officials "were all supportive of the continued disbursement of the aid."

On August 15, at the President's golf club in Bedminster, NJ, members of the President's Cabinet "all represented to Ambassador Bolton that they were prepared to tell President they endorsed the swift release and disbursement of the funding."

The President ignored his advisers' recommendation to lift the hold. He provided no credible explanation for it—not from the day the hold was made until the day it was lifted.

Witness after witness—including Hale, Vindman, Croft, Holmes, Kent, Cooper, Sandy—testified they weren't

given any reason for the hold while it was in place.

Croft said: “[T]he only reason given was that the order came at the direction of the President.”

Mr. Holmes confirmed: “The order had come from the President without further explanation.”

Kent testified too: “I don’t recall any coherent explanation.”

Ambassador Sondland agreed: “I was never given a straight answer as to why it had been put in place to begin with.”

Dr. Hill explained: “No, there was no reason given.”

Even Senator McCONNELL has said: “I was not given an explanation for the hold.”

Even as OMB was implementing the hold, officers in OMB were saying it should be lifted. Mr. Sandy testified that his team drafted a memo on August 7 to OMB Acting Director Russ Vought. It recommended lifting the hold because of, one, the assistance was consistent with national security to support a stable, peaceful Europe; two, the aid countered Russian aggression; and three, there was bipartisan support for the program.

Michael Duffey, the senior political appointee overseeing funds, approved the memorandum. He agreed with the policy recommendations, and it wasn’t just OMB. Senior advisers in the administration tried over and over again to convince President Trump to lift the hold over the summer.

Sometime prior to August 16, Ambassador Bolton had a one-on-one meeting with President Trump about the aid. The President didn’t budge. Then, at the end of August, when the hold on the aid became public, Ambassador Taylor expressed to multiple officials his concerns about withholding the aid from Ukraine at a time when it was fighting Russia. Ambassador Taylor stressed the importance of the hold not just as a message to Ukraine but, importantly, to Russia as well. Withholding the aid on vital military assistance while Ukraine was in the midst of a hot war with Russia sent a message to Russia about U.S. support of Ukraine.

Ambassador Taylor felt so strongly about the harm withholding the security assistance that for the first time ever in his decades of service at the State Department, he sent a first-person cable with his concerns to Secretary Pompeo. In the cable, he described directly the “folly” that Taylor saw in withholding the aid. Here is his testimony.

(Text of Videotape presentation:)

Patrick MALONEY: Have you ever sent a cable like that? How many times in your career of 40, 50 years have you sent a cable directly to the Secretary of State?

Bill TAYLOR: Once.

Patrick MALONEY: This time?

Bill TAYLOR: Yes, sir.

Patrick MALONEY: In 50 years?

Bill TAYLOR: Rifle company commanders don’t send cables, but yes, sir.

Ms. Manager LOFGREN. Ambassador Taylor never received an answer to the

cable, but he was told that Secretary Pompeo carried it with him to a White House meeting about security assistance to Ukraine.

It seemed this meeting about the aid may have occurred on August 30. There are press reports that Secretary Pompeo, Secretary Esper, and National Security Advisor Bolton discussed the hold with President Trump shortly after Ambassador Taylor sent his cable. Keep this in mind. This was 2 days after the hold was publicly reported and after the President was briefed on the whistleblower complaint. Yet, even then, President Trump refused to release the aid.

On August 30, Michael Duffey sent an email to Elaine McCusker, the DOD comptroller. It said: “Clear direction from POTUS to continue to hold.” President Trump has refused to produce this or any other email to Congress.

When the administration was forced to produce it in a freedom of information case in response to a court order, this critical passage was actually blacked out. What is the reason for blacking out this direction from the President about an issue so central to this case? No reason has been given to us. So you should ask yourself this: What is the President hiding?

The President finally released the hold on September 11, but, again, there was no credible reason given for the release. Mark Sandy testified that he could not recall another instance “where a significant amount of assistance was being held up” and he “didn’t have a rationale in this case.”

On the day it was released, OMB still didn’t know why President Trump had ordered the hold. On September 11, the day the President finally released the aid, McCusker at DOD reportedly sent an email to Duffey asking: “What happened?”

Michael Duffey answered: “Not exactly clear but President made the decision to go. Will fill you in when I get details.”

So let’s take a step back for a minute. Why was no reason given to anyone for the President deciding to hold up hundreds of millions of dollars in military assistance to our allies? Because there was no supportable reason for withholding the aid. No one agreed with it. According to the 17 witnesses in the House impeachment inquiry, President Trump insisted on holding the aid and provided no reason, despite unanimous support for lifting the hold throughout his administration, including his handpicked top advisers. It also wasn’t consistent with American policy. The aid had the clear support of career officers and political appointees in President Trump’s administration as important for national security. There was no national security or foreign policy reason provided. No one could think of one. DOD had already certified to Congress, as the law required, that Ukraine had met the anti-corruption conditions for the aid and that it

planned to begin implementing the expenditures.

So why did the President do this? I think we know why. The President ordered the hold for an improper purpose: to pressure Ukraine to announce investigations that would personally benefit President Trump.

That brings us to a key point. It wasn’t just that the President ordered a hold on the aid without any explanation against the unanimous advice of his advisers and even after, for weeks, as his administration—both career and political appointees—continued to try to get him to release the hold. What the President was trying to hide was worse. What the President did was not just wrong; it was illegal.

In ordering the hold, President Trump not only took a position contrary to his senior advisers, counter to congressional intent, and adverse to American national security interests in Ukraine, he also violated the law.

This issue was not a surprise. From the start of the hold in July, compliance of the Impoundment Control Act was a significant concern for OMB and DOD officials. Mark Sandy raised concerns with his supervisor, Michael Duffey, that the hold might violate Impoundment Control Act. DOD voiced the same concerns.

Laura Cooper from DOD described the discussion at a July 26 meeting with No. 2 officials at all of the relevant agencies about the hold, stating: “Immediately, deputies began to raise concerns about how this could be done in a legal fashion.” She further testified that there was no legal mechanism to use to implement the hold after Congress had been notified of the release of the funding.

At a July 31 meeting with more junior officials, Laura Cooper put all attendees on notice, including representatives of the White House, that because “there were only two legally available options, and we do not have direction to pursue either,” DOD would have to start spending the funds on or about August 6.

In other words, the President had a choice. He could release the aid, or he could break the law. He chose to break the law. He was so determined to turn up the pressure on Ukraine that he kept the hold for no legitimate purpose and without any congressional notification for long enough to violate the law.

The concerns from OMB and DOD were ultimately accurate. As has been mentioned just last week, the non-partisan Government Accountability Office found that President Trump broke the law by implementing the hold and in failing to notify Congress about it.

Because of the President’s hold, DOD was ultimately unable to spend all the \$250 million in security assistance before the end of the fiscal year, as Congress—as we—intended.

As GAO explained, the Constitution grants the President no unilateral authority to withhold funds from obligation. And they further explained:

Faithful execution of the law does not permit the President to substitute his own constitutional priorities for those that Congress has enacted into law. OMB withheld funds for a policy reason, which is not permitted under the Impoundment Control Act.

The bottom line, President Trump froze the aid to increase the pressure on Ukraine to announce the investigations he wanted. He violated the law. He violated his constitutional duty to take care that the laws be faithfully executed.

But the President didn't just violate the Impoundment Control Act while pressuring Ukraine to announce the investigations he wanted. He was dishonest about it in the process. This is really telling because he is still not telling the truth about it even now.

The budget documents that implemented the hold until September 11 asserted that it was being imposed to "allow for an interagency process to determine the best use of such funds."

But that wasn't true. There was no ongoing interagency process after July 31 after it became clear that the entire interagency, including Cabinet offices, unanimously agreed the aid should be released. The truth is, there simply was no debate or review in the interagency regarding the best use of such funds. So the reason given by the President was not only illegal; it was false too.

The dishonesty in the budget documents weren't the only steps that the President's men at OMB took to cover up his misconduct and enable his scheme. OMB went so far as to remove the authority to approve the budget documents from Mark Sandy, a career officer, and gave it to Michael Duffey, a political appointee without experience managing such documents.

This change was unusual. It occurred less than 2 weeks after Sandy raised concerns that the hold violated the law. Sandy was not aware of any prior instance when a political appointee assumed this kind of funding approval authority.

Duffey's explanation that he simply wanted to learn more about the accounts doesn't make sense to Sandy. Really? This odd change in responsibility was just another way to keep the President's illegal hold within a tight-knit unit of loyal soldiers within the OMB.

Michael Duffey defied the House's subpoena. At the President's direction, he refused to appear. The White House did not assert any privileges or immunities when it directed Duffey to defy Congress's subpoena. It wasn't a real exercise of executive privilege. They told him not to appear, and they had no reason why.

If Mr. Duffey knew about any legitimate reason for the hold, I will bet he would not have been blocked from testifying. The fact that he was blocked

might lead you to infer that his testimony would be damaging to the President and would be consistent with the testimony of the other witnesses that the hold was solely used to ratchet up pressure on Ukraine.

But the warning from DOD wasn't just about how the hold was illegal. There were also practical consequences. By August 12, the Department of Defense told OMB it could no longer guarantee it would be able to spend all \$250 million that Congress had directed before the end of the fiscal year.

Not long after this August 12 email, DOD determined that time had run out. Ms. Cooper testified that DOD estimated that as much as \$100 million of aid might go unspent, even if the hold was immediately lifted. As a result, DOD refused to certify that it would be able to spend the funds by September 30.

On August 20, OMB issued the first of six budget documents and removed the language providing legal cover for the hold. From that point on, the White House knew that DOD would not be able to spend all the funds, which was what the law required before September 30. Yet, even though he knew the hold would violate the Impoundment Control Act, President Trump continued the hold for another 23 days without telling us—without telling the Congress.

This had the exact outcome that DOD feared. After the President lifted the hold on the evening of September 11, DOD had only 18 days to spend the remaining \$223 million, which is about 89 percent of the total. DOD scrambled, and they spent all but approximately \$35 million. About 14 percent of the appropriated funds were left.

That \$35 million would have expired and would have been forever lost to Ukraine had Congress not stepped in to pass a law to roll the money over to the next year. But even as of today, more than \$18 million of that money has not yet been spent. Why? You will have to ask DOD. They haven't given us a reason.

OK, all of this shows, clearly, that President Trump knowingly and willfully violated the law when he withheld aid from Ukraine. But just to be clear, the Articles of Impeachment do not charge Donald Trump with violating the Impoundment Control Act. We are not arguing that, but understanding this violation of the law is important to understanding the broader scheme of his abuse of power. It shows the great lengths the President was willing to go to in order to pressure Ukraine to do his political dirty work.

The security assistance wasn't something the law allowed him to give or take at his discretion. No, he was legally obliged to release the money, but he simply didn't care.

Why? He was so determined to get the announcement from Ukraine to smear his election opponent that holding the aid to force Ukraine to do that

was the most important thing. He didn't care if he was breaking the law.

I have been sitting here on the Senate floor. Honestly, I never wanted to be here under these circumstances. But I have been looking at "novus ordo seclorum." Now, I didn't study Latin. So I had to look it up. It means: "A new order of the ages is born." That is what the Founders thought they were doing. Keeping that new order, the democracy, where the power is in the hands of the people, not in the hands of an unaccountable executive, is what we in the Congress—the House and the Senate—are charged to do.

Senator BLUNT and I are in charge of the Joint Committee on Printing. Every year, we print a new copy of the Constitution. This year, in the back, we printed a quote: "At the conclusion of the Constitutional Convention, Benjamin Franklin was asked, 'What have you wrought?' He answered, '... a Republic, if you can keep it.'"

That is the challenge that all of us face, and that you Senators face.

I turn now to Mr. CROW, who will outline information about the President's intentions.

Mr. Manager CROW. Mr. Chief Justice, Members of the Senate, counsel for the President, just bear with us a little while longer. I promise, we are almost there.

You have heard a lot the last few days about what happened. How do we know that the President ordered the hold to pressure Ukraine to announce investigations that would help his personal political campaign? In other words, how do we know why it happened?

We know it because, to this day, there is no other explanation. We know it because senior administration officials, including the President's own senior political appointees, have confirmed it. We know it because the President's own Chief of Staff said it at a national press conference. And we know it because the President himself directed it.

Here are the facts. One, the President asked President Zelensky for a favor on July 25, and we all know what that favor was.

Two, multiple U.S. officials with fact-based knowledge of the process have confirmed it.

Three, President Trump lifted the hold only after his scheme was exposed.

Four, there were no other legitimate explanations for the release of the hold. It was not based on a legitimate review of the foreign aid. It was not based on concerns of corruption in Ukraine. It was not because President Trump wanted countries to pay more. There are no facts that show that the President cared about any of those things.

Five, as we know, White House Chief of Staff Mick Mulvaney admitted at a press conference that the bogus 2016 election interference allegations were "why we held up the money."

Eventually, the truth comes out. There was no legitimate policy reason

for holding the aid. So the truth came out.

As Ambassador Sondland said, the President was a businessman who saw congressionally approved, taxpayer-funded military aid for Ukraine, our partner at war, as just another business deal to be made. Military aid in exchange for fabricated dirt on his political opponent. Dirt for dollars. This for that. A quid pro quo.

Let's start with the President's own words to President Zelensky on the July 25 call. With the hold on his mind and on President Zelensky's mind, too—we know that—President Trump linked military aid to his request for a favor. At the very beginning of the call, President Zelensky said:

I would also like to thank you for your great support in the area of defense. We are ready to continue to cooperate for the next steps specifically we are almost ready to buy more Javelins from the United States for defense purposes.

The "great support in the area of defense" included, of course, the \$391 million in military aid, because remember, just a month before, DOD had publicly announced its intent to provide \$250 million of that aid. President Zelensky was showing gratitude to the President for the aid that DOD had just announced would be on its way. But the President had put a hold just a few weeks before.

Immediately after President Zelensky brought up the U.S. military support and said that Ukraine was almost ready to buy more Javelin anti-tank missiles, President Trump pivoted to what he wanted in return. He turned from the quid to the quo.

President Trump immediately responded. He said: "I would like you to do us a favor though because our country has been through a lot and Ukraine knows a lot about it."

And what was that favor? Well, we all know by now; don't we? It wasn't to fight corruption. It wasn't to help the United States or our national interests. It was the two specific political investigations that he wanted Ukraine to announce to help his own personal political campaign. President Trump's quick pivot from the critical military aid that he knew Ukraine desperately needed to the investigations that would benefit him personally speaks volumes. By bringing up the investigations immediately after President Zelensky raised the issue of military support, he linked the two issues.

U.S. officials listening to the call also made that connection. Here is what Jennifer Williams, Vice President PENCE's aide, testified:

(Text of Videotape presentation:)

Mr. SCHIFF. But I was struck by something else you said in your deposition. You said that it shed some light on possible other motivations behind the security assistance hold. What did you mean by that?

Ms. WILLIAMS. Mr. Chairman, I was asked during the closed-door testimony how I felt about the call; and, in reflecting on what I was thinking in that moment, it was the first time I had heard internally the Presi-

dent reference particular investigations that previously I had only heard about through Mr. Giuliani's press interviews and press reporting. So, in that moment, it was not clear whether there was a direct connection or linkage between the ongoing hold on security assistance and what the President may be asking President Zelensky to undertake in regard to investigations. So I—it was—it was noteworthy in that regard. I did not have enough information to draw any firm conclusions.

Mr. SCHIFF. But it raised a question in your mind as to whether the two were related.

Ms. WILLIAMS. It was the first I had heard of any requests of Ukraine which were that specific in nature. So it was noteworthy to me in that regard.

Mr. Manager CROW. In fact, the hold was formally implemented by OMB the very day of the call. Just hours after the call between President Trump and President Zelensky, Duffey sent an email to senior DOD officials instructing them to put a hold on the security aid. He said he 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. If the President ordered the hold for a legitimate policy reason, then why did he want to hide it from the rest of the administration?

President Trump has obstructed Congress's ability to get those answers. We would like to ask Duffey why they wanted to keep it quiet. There is more evidence, of course—a lot more. In fact, there is so much evidence that, according to witnesses, the fact that the security assistance was conditioned on investigations became as clear as "two plus two equals four." Everyone knew it. Indeed, with no explanation for the hold, unanimous support for its release in the administration, and ongoing efforts by the President's top advisers to pressure Ukraine into announcing the investigations by holding up the White House meeting, it became crystal clear, as confirmed by multiple witnesses, that the only reason for the hold was to put additional pressure on Ukraine.

David Holmes, the senior official at the U.S. Embassy in Kyiv, explained.

(Text of Videotape presentation:)

GOLDMAN. Mr. Holmes, you have testified that by late August you had a clear impression that the security assistance hold was somehow connected to the investigation that President Trump wanted. How did you conclude that—how did you reach that clear conclusion?

HOLMES. We'd been hearing about the investigation since March, months before. President Zelensky had received a letter, a congratulatory letter, from the President saying he'd be pleased to meet him following his inauguration in May. And we hadn't been able to get that meeting, and then the security hold came up with no explanation. I'd be surprised if any of the Ukrainians . . . you said earlier, we discussed earlier, sophisticated people . . . when they received no explanation for why that hold was in place, they wouldn't have drawn that conclusion.

GOLDMAN. Because the investigations were still being pursued?

HOLMES. Correct.

GOLDMAN. And the hold was still remaining without explanation?

HOLMES. Correct.

GOLDMAN. This to you was the only logical conclusion that you could reach?

HOLMES. Correct.

GOLDMAN. Sort of like two plus two equals four?

HOLMES. Exactly.

Mr. Manager CROW. And Ambassador Sondland said the same thing.  
(Text of Videotape presentation:)

GOLDMAN. So, is this kind of a two plus two equals four conclusion that you reached?

SONDLAND. Pretty much.

GOLDMAN. Is the only logical conclusion to you that, given all of these factors, that the aid was also a part of this quid pro quo?

SONDLAND. Yep.

Mr. Manager CROW. Ambassador Sondland didn't reach that conclusion based only on common sense. It was confirmed by Secretary Pompeo and Vice President PENCE, too.

So let's begin with what Secretary Pompeo knew about the link between the investigations and the aid. In front of you is an email. At the end of August, before President Trump canceled his trip to Warsaw to meet with President Zelensky, Sondland sent an email to Secretary Pompeo in which he proposed a pull-aside between President Zelensky and President Trump at the proposed meeting in Warsaw. Three minutes later, Secretary Pompeo replied "yes." That is it. Ambassador Sondland explained the email in his testimony.

(Text of Videotape presentation:)

The CHAIRMAN. Later in August, you told Secretary Pompeo that President Zelensky would be prepared to tell President Trump that his new justice officials would be able to announce matters of interest to the President, which could break the logjam. When you say matters of interest to the President, you mean the investigations that President Trump wanted. Is that right?

Ambassador SONDLAND. Correct.

The CHAIRMAN. And that involved 2016 and Burisma or the Bidens?

Ambassador SONDLAND. 2016 and Burisma.

The CHAIRMAN. And when you're talking here about breaking the logjam, you're talking about the logjam over the security assistance, correct?

Ambassador SONDLAND. I was talking logjam generically because nothing was moving.

The CHAIRMAN. But that included the security assistance, did it not?

Ambassador SONDLAND. Correct.

The CHAIRMAN. And based on the content of that email, this was not the first time you had discussed these investigations with Secretary Pompeo, is it?

Ambassador SONDLAND. No.

The CHAIRMAN. He was aware of the connections that you were making between the investigations and the White House meeting and the security assistance?

Ambassador SONDLAND. Yes.

Mr. Manager CROW. So let's break that down for a minute. A meeting between two Presidents is a big deal. A pull-aside is a big deal. These are highly choreographed events. Secretary Pompeo didn't ask any questions and didn't show any surprise or confusion in response to the email. Instead, he

immediately endorsed the idea. This shows that Secretary Pompeo, who also listened to the July 25 call as well, understood that the security assistance was conditioned on the investigations.

By this time, everyone knew what was happening. A simple “yes” by Secretary Pompeo was enough. Secretary Pompeo wasn’t the only senior official who knew. Vice President PENCE knew as well. Sondland raised the issue to Vice President PENCE during a meeting to prepare for the Warsaw trip. At some point late in the meeting, Sondland said: “It appears that everything is stalled until this statement gets made.” What Sondland was referring to, of course, was the military aid and the White House meeting. Ambassador Sondland testified about Vice President PENCE’s reaction.

(Text of Videotape presentation:)

GOLDMAN. Now, I want to go back to that conversation that you had with Vice President PENCE right before that meeting in Warsaw. And you indicated that you said to him that you were concerned that the delay in the aid was tied to the issue of investigations. Is that right?

SONDLAND. I don’t know exactly what I said to him. This was a briefing attended by many people, and I was invited at the very last minute. I wasn’t scheduled to be there. But I think I spoke up at some point late in the meeting and said, it looks like everything is being held up until these statements get made, and that’s my, you know, personal belief.

GOLDMAN. And Vice President PENCE just nodded his head?

SONDLAND. Again, I don’t recall any exchange or where he asked me any questions. I think he, it was sort of a duly noted response.

GOLDMAN. Well, he didn’t say, Gordon, what are you talking about?

SONDLAND. No, he did not.

GOLDMAN. He didn’t say, what investigations?

SONDLAND. He did not.

Mr. Manager CROW. Like Secretary Pompeo, Vice President PENCE wasn’t surprised, nor did he ask what Sondland meant—because they all knew. This meeting also confirmed Sondland’s understanding that the President had indeed conditioned the military aid on the public announcement of the investigations. This was a commonsense conclusion, confirmed by the Secretary of State and the Vice President.

With that confirmation in mind, Sondland pulled aside Yermak, the top aide to President Zelensky, immediately after the Pence-Zelensky meeting. Now, recall, he was the one who resisted the public statement about the specific investigations in August. Ambassador Sondland described what he told Yermak in that short meeting.

(Text of Videotape presentation:)

SONDLAND. Based on my previous communication with Secretary Pompeo, I felt comfortable sharing my concerns with Mr. Yermak. It was a very, very brief pull-aside conversation that happened within a few seconds. I told Mr. Yermak that I believed that the resumption of U.S. aid would likely not occur until Ukraine took some kind of action on the public statement that we had been discussing for many weeks.

Mr. Manager CROW. You see, this just wasn’t an internal scheme among the President’s top advisers. President Trump, through his agents, communicated the quid pro quo clearly to Ukraine. Ambassador Sondland told President Zelensky’s top aide on September 1 that Ukraine would not get the military aid unless it announced the investigations. This, my Senate colleagues, is the very definition of a quid pro quo.

But other witnesses know it, too. Morrison watched Sondland’s conversation with Yermak and then received an immediate readout from Sondland after that meeting. Morrison urgently reported the interaction to Ambassador Bolton on a secure phone call, and, of course, Bolton told him to go tell the NSC lawyers.

Morrison did as he was instructed. He also told Ambassador Taylor. Ambassador Taylor then confronted Sondland. Taylor texted: “Are we now saying that security assistance and WH meeting are conditioned on investigations?”

Sondland responded: “Call me.”

And as everyone knows, when someone says “call me,” it says stop putting this in writing.

During their subsequent phone call, Sondland confirmed to Taylor that the military aid was conditioned on an announcement of investigations and that President Trump wanted President Zelensky in a “public box.”

Here is how Taylor, who took contemporaneous notes of the conversation, explained that call.

(Text of Videotape presentation:)

TAYLOR. During that phone call Ambassador Sondland told me that President Trump had told him that he wants President Zelensky to state publicly that Ukraine will investigate Burisma and alleged Ukrainian interference in the 2016 election. Ambassador Sondland also told me that he now recognized that he had made a mistake by earlier telling Ukrainian officials that only a White House meeting with President Zelensky was dependent on a public announcement of the investigations. In fact, Ambassador Sondland said, everything was dependent on such an announcement including security assistance. He said that President Trump wanted President Zelensky in a public box by making a public statement about ordering such investigations.

Mr. Manager CROW. President Trump wanted President Zelensky in a “public box.” A private commitment wasn’t enough for President Trump because he needed the political benefit, and he could only get the political benefit if it was public. We all know how this works with President Trump, how he weaponizes investigations for political purposes.

Think about that for a second. That is actually the exact opposite of how law enforcement investigations are conducted. If they are legitimate, law enforcement does not announce to the world they are investigating before actually doing it. That would tip off your targets. It would lead to witness intimidation, destruction of evidence. But the President didn’t actively want

a legitimate investigation. He only wanted the announcement.

At the end of that conversation between Taylor and Sondland on September 1, Taylor asked Sondland to speak to the President to see if he could change his mind. That is exactly what Sondland did.

On September 7, President Trump and Sondland spoke. We know the call was on September 7 for four reasons. First, Morrison testified that he had a conversation with Sondland on September 7 about Sondland’s discussion with the President.

Second, Morrison told Taylor about this conversation on September 7.

Third, Sondland and Taylor had a conversation on September 8 about the conversation that Sondland had the day before.

Finally, Sondland texted Taylor and Volker on September 8 that he had conversations with “POTUS” and “Ze”—meaning President Trump and President Zelensky. So we know that the conversations must have happened before the morning of September 8, when that text was sent.

For his part, Sondland, who doesn’t take notes, also recalled that on that call, he simply asked President Trump an open-ended question about what he wanted from Ukraine. President Trump immediately responded: “I want no quid pro quo.”

Let’s stop here for a second. The President has latched on to this statement that he said that, and because he said it, it must be true, right? But wait just a minute. Remember what is happening here at the same time. The President had just learned about the whistleblower complaint in the Washington Post editorial linking the military aid to the investigations just 2 days before. The fact that the President immediately blurted that out speaks volumes.

I am a parent, and there are a lot of parents in this room. I think many of you can probably relate to the situation where you are in a room and you hear a large crash in the next room, and you walk in, and your kid is sitting there, and that first thing that happens is “I didn’t do it.”

But there is more. Sondland did acknowledge that President Trump said he wanted Zelensky to “clear things up.”

You will no doubt hear a lot from the President’s counsel that Sondland testified no one in the world told him that there was a quid pro quo, including President Trump. And, of course, that is right, because people engaging in misconduct don’t usually admit it.

But we know exactly what the President told Sondland. We know it from the testimony of Tim Morrison and Ambassador Taylor. We know it because Sondland testified that his own conclusion that there was a quid pro quo was confirmed by his conversation with President Trump. And we know it because Sondland relayed the exact message to President Zelensky right after he spoke to President Trump.

Keep in mind that Sondland does not take notes, and he readily admitted that if he could have seen his own documents prior to testifying, he would have remembered more.

But Morrison and Taylor took extensive notes at the time and testified based on those notes, and Sondland—and this is important—said he did not dispute any of the accounts of Morrison and Taylor.

Let's look at what Morrison and Taylor said about that September 7 phone call. Here is Tim Morrison's understanding of the Trump-Sondland call.

(Text of Videotape presentation:)

GOLDMAN. Now, a few days later, on September 7th, you spoke again to Ambassador Sondland, who told you that he had just gotten off the phone with President Trump. Is that right?

MORRISON. That sounds correct, yes.

GOLDMAN. What did Ambassador Sondland tell you that President Trump said to him?

MORRISON. If I recall this conversation correctly, this was where Ambassador Sondland related that there was no quid pro quo, but President Zelensky had to make the statement and that he had to want to do it.

GOLDMAN. And by that point, did you understand that the statement related to the Biden and 2016 investigations?

MORRISON. I think I did, yes.

GOLDMAN. And that that was essentially a condition for the security assistance to be released?

MORRISON. I understood that that's what Ambassador Sondland believed.

GOLDMAN. After speaking with President Trump?

MORRISON. That's what he represented.

Mr. Manager CROW. Here is the consistent recollection of how Ambassador Taylor described his understanding of the call. First, here is what he heard from Mr. Morrison.

(Text of Videotape presentation:)

TAYLOR. According to Mr. Morrison, President Trump told Ambassador Sondland he was not asking for a quid pro quo, but President Trump did insist that President Zelensky go to a microphone and say he is opening investigations of Biden and 2016 election interference and that President Zelensky should want to do this himself.

Mr. Manager CROW. And second, here is Ambassador Taylor explaining what Sondland himself told Taylor about what took place on that Sondland-Trump call a day later.

(Text of Videotape presentation:)

TAYLOR. He confirmed that he had talked to President Trump, as I had suggested a week earlier, but that President Trump was adamant that President Zelensky himself had to clear things up and do it in public. President Trump said it was not a quid pro quo.

Mr. Manager CROW. Like Sondland, both Taylor and Morrison recalled that President Trump said that he did not want a quid pro quo, but they both testified that President Trump followed that statement immediately by describing perfectly an exchange of this for that—or, in other words, a quid pro quo.

Prior to his call with the President, Sondland had reached the conclusion that the aid was being held until the

public announcement of the investigations. That conclusion was confirmed by Secretary Pompeo and Vice President PENCE. Then Sondland relayed it to the Ukrainians. And after this phone call with President Trump, that conclusion was confirmed.

(Text of Videotape presentation:)

GOLDMAN. Well, you weren't dissuaded then, right, because you still thought that the aid was conditioned on the public announcement of the investigations after speaking to President Trump?

SONDLAND. By September 8 I was absolutely convinced it was.

GOLDMAN. And President Trump did not dissuade you of that in the conversation that you acknowledge you had with him?

SONDLAND. I don't ever recall because that would have changed my entire calculus. If President Trump had told me directly, I'm not—

GOLDMAN. That's not what I'm asking. Ambassador Sondland. I'm just saying, you still believed that the security assistance was conditioned on the investigation after you spoke to President Trump. Yes or no?

SONDLAND. From a timeframe standpoint, yes.

Mr. Manager CROW. How else do we know that President Trump confirmed to Sondland that the aid was conditioned on the announcement? Sondland relayed the message to President Zelensky right after his conversation with President Trump.

Here is Ambassador Taylor's recollection of what Sondland told Zelensky, based on his notes.

(Text of Videotape presentation:)

Ambassador TAYLOR. Ambassador Sondland also said that he had talked to President Zelensky and Mr. Yermak and had told them that, although this was not a quid pro quo, if President Zelensky did not clear things up in public, we would be at a stalemate. I understood a "stalemate" to mean that Ukraine would not receive the much needed military assistance.

Mr. Manager CROW. Ambassador Sondland confirmed that Taylor's memory of this call was accurate; there would be a stalemate without the investigations. Here is his testimony.

(Text of Videotape presentation:)

GOLDMAN. And then you also told Ambassador Taylor in that same conversation that if President Zelensky, rather you told President Zelensky and Andriy Yermak that although this was not a quid pro quo as the President had very clearly told you, it was however required for President Zelensky to clear things up in public or there would be a stalemate. You don't have any reason to dispute Ambassador Taylor's recollection of that conversation you had with President Zelensky, do you?

SONDLAND. No.

GOLDMAN. And that you understood the stalemate referenced the aid, is that correct?

GOLDMAN. At that point, yes.

Mr. Manager CROW. A stalemate. Nothing would happen with the aid unless President Zelensky publicly announced the investigations. The President had not received his "quid" so there would be no "quo."

Don't take my word for it. Here is a recap of how we knew what happened during the call. First, Sondland testified about the conversation. Second, Morrison received a readout from

Sondland immediately after the call and testified based on his notes. Third, Taylor testified based on his own notes. And fourth, Sondland agreed that President Trump had confirmed a quid pro quo, and Sondland actually relayed the message to the President of Ukraine and told Ambassador Taylor about it.

President Zelensky got the message. He succumbed to the pressure. At the end of the conversation between Sondland and President Zelensky, President Zelensky explained that he had finally relented. His country needed the military aid, desperately. Their people were dying on the frontline all of the time. They were taking casualties every day. He agreed to make the statement.

(Text of Videotape presentation:)

TAYLOR. Ambassador Sondland said that this conversation concluded with President Zelensky agreeing to make a public statement in an interview on CNN.

Mr. Manager CROW. President Zelensky had resisted making the announcement of the corrupt investigations for months. He resisted when Giuliani and other agents of the President made it known that President Trump required it. He resisted when President Trump himself asked directly on July 25. He resisted when the White House meeting he so desperately desired was conditioned on that announcement. And he resisted as vital military aid was on hold. But the money is 10 percent of his entire defense budget. Russia occupied the eastern part of his country. He could resist no more.

Ambassador Taylor was worried that even if the Ukrainian leader did as President Trump wanted, President Trump might continue to hold the military aid.

Ambassador Taylor texted his concerns to Ambassadors Volker and Sondland stating:

The nightmare is they give the interview and don't get the security assistance. The Russians love it. (And I quit.)

In other words, the nightmare is that they make the announcement but President Trump doesn't release the aid. This would be perfect for the Russians. Russian propaganda would be adopted by the United States and the United States would be withdrawing its support for Ukraine.

On September 9, Ambassador Taylor reiterated his concerns about the President's quid pro quo in another series of text messages with Ambassadors Volker and Sondland. Ambassador Taylor said:

The message to the Ukrainians (and Russians) we send with the decision on security assistance is key. With the hold, we have already shaken their faith in us. Thus my nightmare scenario.

And then later, he texted again saying:

Counting on you to be right about this interview, Gordon.

Ambassador Sondland responded:



Bill, I never said I was "right". I said we are where we are and believe we have identified the best pathway forward. Lets hope it works.

Ambassador Taylor replied:

As I said on the phone, I think it's crazy to withhold security assistance for help with a political campaign.

Here it is. Once again, in clear text message between three U.S. officials: "It's crazy to withhold security assistance for help with a political campaign."

Think about that. If there was no quid pro quo, then why did everybody know about it? Well, Ambassador Taylor told us why, too. Here is his testimony.

(Text of Videotape presentation:)

TAYLOR. As I said on the phone, I think it is crazy to withhold security assistance for help with a political campaign.

GOLDMAN. What did you mean when you said you thought it was crazy?

TAYLOR. Mr. Goldman, I meant that the importance—because of the importance of security assistance that we had just described and had a conversation with the chairman, because that was so important, that security assistance was so important for Ukraine as well as our own national interests, to withhold that assistance for no good reason other than help with a political campaign made no sense. It was counterproductive to all of what we had been trying to do. It was illogical. It could not be explained. It was crazy.

GOLDMAN. And when you say "all of what we were trying to do," what do you mean by "we"?

TAYLOR. I mean that the United States was trying to support Ukraine as a frontline state against Russian attack. And, again, the whole notion of a rules based order was being threatened by the Russians in Ukraine. So our security assistance was designed to support Ukraine. And it was not just the United States; it was all of our allies.

GOLDMAN. When you referenced "help with a political campaign" in this text message, what did you mean?

TAYLOR. I meant that the investigation of Burisma and the Bidens was clearly identified by Mr. Giuliani in public for months as a way to get information on the two Bidens.

Mr. Manager CROW. Now, that testimony is really clear, and it makes sense. It is consistent with all of the evidence you have seen here today. That is a quid pro quo as clear as two plus two equals four.

And what happened next also makes sense. Sondland got scared. Taylor was making clear that he didn't agree with the scheme. In response to Taylor's text message that it was "crazy to withhold security assistance for help in a political campaign," Sondland repeated again the false denial of a quid pro quo. At 5:17 a.m., Sondland responded to Taylor:

Bill, I believe you are incorrect about President Trump's intentions. The President has been crystal clear: no quid pro quos of any kind. The President is trying to evaluate whether Ukraine is truly going to adopt the transparency and reforms that President Zelensky promised during his campaign. I suggest we stop the back and forth by text. If you still have concerns, I recommend you give Lisa Kenna or S—

That is Secretary Pompeo—

a call to discuss them directly. Thanks.

Now, the text message says very clearly that there are no quid pro quos "of any kind." So end of story, right? Case closed. But Sondland's testimony revealed this text and the President's denial were false. Just like President Trump, when Ambassador Sondland thought he was getting caught, he got nervous, and he wanted to deny it in writing to cover his tracks. That is why he suddenly says: "I suggest we stop the back and forth by text." Again, quit putting this in writing.

We know that Sondland's denial in the text was false because later, when he was under oath, under penalty of perjury, he actually said a quid pro quo did exist.

(Text of Videotape presentation:)

SONDLAND. 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. Manager CROW. The answer is yes. It is clear that President Trump himself confirmed that the aid was conditioned on the public announcement of the investigations that the President wanted. To get Ukraine to help him with his reelection campaign, the President of the United States violated the law by withholding nearly \$400 million of taxpayer dollars intended to fight Russia. He put his own interests over the country, and that is why we are here.

Mr. Chief Justice and Members of the Senate, in deference to our proposed schedule and the late hour, I am now going to yield to my colleague, Mr. SCHIFF, to provide a brief recap of today and then we will begin again in the morning.

Mr. Manager SCHIFF. He means the afternoon.

Senators, Chief Justice, President's counsel, it has been a long day. We started out the day with the Chaplain asking for empathetic listening, and I think that is certainly what you have delivered for us today. I know you have been bombarded with information all day, and when you leave this Chamber, you are bombarded again by members of the press. There is no refuge, I know. And I just want to thank you for keeping an open mind about all the issues that we are presenting—an open mind for us and an open mind for the President's counsel. That is all that we can ask for.

Having watched you now for 3 days, whether it is someone you are predisposed to agree with or predisposed not to, it is abundantly clear that you are listening with an open mind, and we can't ask for anything more than that, so we are grateful.

At the beginning of the trial, you may have seen the President's tweet. He tweeted a lot, but he tweeted a common refrain: "Read the transcript." So I thought at the end of the evening, I would join in the President's request that you reread the transcript because now that you know a lot more of the facts of this scheme, it reveals a lot more about that conversation.

Let me just point out a few things that may have escaped your attention about that transcript, which is not really a transcript because it is not complete. Let me just tell you a few things that may have escaped your attention about that call record. We have already talked about it. I will not go into it again. There are the pivotal sections where he talks about CrowdStrike and he asks for that favor and he wants investigation of the Bidens. There is a lot more to that call.

Now that you know so much more about that scheme, let me just point out a few things that really struck my attention. Early in the call, President Zelensky says:

We brought in many many new people. Not the old politicians, not the typical politicians, because we want to have a new format and a new type of government.

Again, this is the July 25 call. Early in the call, President Zelensky wants to impress upon President Trump he has brought in new people; that he is a reformer. This was his campaign pledge. He is a reformer. He is coming in. He is bringing in new people. So if there had been any concern about corruption in Ukraine, he is bringing in new people. He is a reformer. That is one of the first messages he wants to get across.

You can better well believe that he is prepared for this call because he needs that White House meeting. So everything he says is prepared. And early on, he wants to make sure that he lets the President know he is a reformer. Now, the President has his own agenda in this call, and immediately after that, in the next exchange, the President makes this point:

[T]he United States has been very very good to Ukraine. I wouldn't say that it's reciprocal necessarily because things are happening that are not good but the United States has been very very good to Ukraine.

This is very interesting that he brings up very early in the conversation this relationship is nonreciprocal. We've been "very very good to Ukraine," but, you know, can't say there is much coming the other way.

Now, you will remember that Bill Taylor had this reaction to talking to Gordon Sondland. When Sondland says: Donald Trump is a businessman. Before he writes a check, he likes to get what he is owed, Taylor's reaction is, well, that makes no sense because Ukraine doesn't owe us anything.

Well, in this call you can see that Donald Trump does think he is owed. This is what he is talking about when he says "there's not much reciprocity here." He thinks he is owed something. You want to get this military, you want to get this meeting—I don't see much reciprocity here. He thinks he is owed something. When you read that passage and you know about that: "He is a businessman. Before he signs a check" that takes on new meaning.

Now, a little later in the call, Zelensky says:

I will personally tell you that one of my assistants 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 to Ukraine.

You should read this carefully yourself, but this may be the first mention of Giuliani. Zelensky is bringing him up and saying: Well, I would really like to meet with Giuliani.

This is July. What do we know now about the meeting between Giuliani and Zelensky? We know that Giuliani, in May, wanted to go meet with Zelensky. We saw that letter from Giuliani: I want to go meet with Zelensky. And we know he was rebuffed or something happened because he didn't get that meeting. And he was angry and went on TV and he said that Zelensky is surrounded by enemies of Trump, right?

So Zelensky is prepared for this call, and he knows it is going to resonate with Donald Trump if he says he would like to meet with Rudy Giuliani. And immediately after that he says: "[W]e are hoping very much that Mr. Giuliani will be able to travel to Ukraine and we will meet once he comes to Ukraine." Immediately thereafter, the next sentence he says: "I just wanted to assure you once again you have nobody but friends around us."

Now, we could have read this transcript to you early on, and that wouldn't have meant much to you, but now that you know that Rudy Giuliani was out there on TV saying Zelensky is surrounded by enemies of Trump, you can see why Zelensky says "you have nobody but friends around us." And he goes on, "I also wanted to tell you that we are friends." He brings up friendship again. "We are great friends." That is the third time he wants to underscore what great friends they are. And why? Because Rudy Giuliani has been saying they are enemies. And then he goes on to say:

I also plan to surround myself with great people and in addition to that investigation, I guarantee as the President of Ukraine that all the investigations will be done openly and candidly. That I can assure you.

He needs to assure the President that he is going to get his deliverable because it has been made clear before this call what the President wants to hear—more than that—what the President needs to hear is there will be no stone unturned in that investigation.

So the President in the next response says:

Mr. Giuliani is a highly respected man. He was the mayor of New York City, a great mayor, and I would like him to call you.

Well, that sounds familiar, doesn't it? Call Rudy. The same thing he told the three amigos in May: Call Rudy. Now he is telling Zelensky: Call Rudy. And he says: I will ask him to call you along with the Attorney General. Rudy very much knows what's happening and he is a very capable guy. If you could speak to him, that would be great.

Talk to Rudy.

That is pretty remarkable—right?—a head-of-state to head-of-state call. It is not: Talk to my Secretary of State. It

is not: Talk to my national security advisers. It is: Talk to Rudy.

It is interesting, too, that it is not just Rudy, right?

I will ask him to call you along with the Attorney General.

That was quite a shock when this call record was released, right? The Attorney General shows up in this call record. A couple of times, he shows up in this call record.

That is when the Department of Justice immediately issues a statement: We have got nothing to do with this. We don't know anything about this. The ink is barely dry. This thing has been released, and we don't know what this is about. We haven't talked about it. We haven't gone to Ukraine. We don't know a thing about it.

Now, bear in mind a couple of other things that you know at this point. Bear in mind that there was a whistleblower complaint before this call record was released. Bear in mind that the law that we passed and you passed requires that a whistleblower complaint that is designated to go to Congress must go to Congress and must go to the intelligence committees. If the inspector general finds it credible and urgent, it has to not only go to Congress, it has to go to Congress soon. There is a timetable.

Bear in mind what happens when that complaint is filed and the inspector general says: It is not only credible—it is urgent. It is urgent.

What happens? Well, it goes to the Acting Director of National Intelligence. And what does he do? He contacts the White House, and he contacts Bill Barr's Justice Department. And what does Bill Barr's Justice Department do in consultation with the White House? They say: Don't turn it over to Congress. You don't have to turn it over to Congress.

I know what the law says. It says "you shall." It doesn't say "you may." It doesn't say "you might." It doesn't say "you can if you want to." It doesn't say "if the President doesn't object." It says "you shall." We are telling you—Bill Barr's Justice Department is telling you—you don't have to. The highest office of the law in the land is saying: Ignore the law. Ignore the law. We will come up with some rationalization. We will get our guys at the Office of Legal Counsel to write some opinion. We will find a way. Do not turn it over. You don't have to.

And they don't.

The inspector general, who deserves a lot of credit for guts, reports to the intelligence committees and says: They are violating the law, and I don't know what to do about it. They are supposed to turn it over to you, and I don't know what to do about it, but I need to tell you, to meet my obligation, they are not doing what they should.

So we subpoena the Director of National Intelligence, and we make it clear to the Director of National Intelligence that he is going to have to come before Congress in an open hear-

ing and explain why he is the first Acting Director to refuse to turn a complaint over to Congress. The investigations are open.

The result is they are forced to turn it over to Congress, and they are forced to release this call record, but here you have the Department of Justice weighing in: You don't have to turn it over.

It is the same call record that mentions the Attorney General of the United States, but it fails. That effort to cover up—to conceal the whistleblower complaint—fails, and it comes out. No sooner than it does, the Attorney General says: We had nothing to do with this.

Of course, if that had never been released, well then, the Attorney General's name would have never come up in this call record, and there would have been no necessity to distance himself from the President's actions.

In the next exchange, President Zelensky says that he or she—he is going to have a new Prosecutor General—will look into the situation, specifically into the company that you mention in this issue.

Now, this is also interesting: the company that you mention in this issue.

There is no company mentioned in this issue in the call record, but, of course, you have heard now testimony from two witnesses who were on that call that Burisma was mentioned.

So why isn't Burisma in the call record? Well, I can say this: That call record went to that highly classified server, and the mention of Burisma didn't make it into the call record.

Zelensky goes on to say: The issue of the investigation of the case is actually the issue of making sure to restore the honesty. So we will take care of that, and we will work on the investigation of the case.

Time after time after time, Zelensky feels the need to assure the President he is going to do those political investigations that the President wants.

In the next exchange, after Zelensky says this, the President says: I will have Mr. Giuliani give you a call, and I am also going to have Attorney General Barr call, and we will get to the bottom of it.

I mean, you can count. Don't take my word, but I think there is no one who comes up more in this call record than Rudy Giuliani, which tells us something.

In the next exchange, among other things, Zelensky says: I also wanted to thank you for your invitation to visit the United States, specifically Washington, DC. On the other hand, I also want to assure you that we will be very serious about the case, and we will work on the investigation.

In the same way that earlier in the conversation Zelensky brings up those weapons he needs—those Javelins—the President immediately says: I have a favor. So we have military assistance and "I have a favor."

Here, Zelensky says: I want to thank you for your invitation to come visit. I

also want to assure you we are serious about doing the investigation.

Clearly, he is linking the two, and, of course, he is linking the two because he is told the two are linked before the call, and he is conveying to the President: I got the message.

The President, in the next exchange, says: I will tell Rudy and Attorney General Barr to call.

Again, let's make sure there is no misunderstanding here.

I am going to have them call. I want you in touch with Rudy Giuliani and the Attorney General. I will tell Rudy and Attorney General Barr to call. Thank you. Whenever you would like to come to the White House, feel free to call.

I am going to have you talk to Rudy and the Attorney General, and by the way, any time you want to come to the White House, just call.

Give us a date, and we will work that out. I look forward to seeing you.

Then Zelensky says: Thank you very much. I would be very happy to come. I am looking forward to our meeting.

Again and again, Zelensky goes into that call with his wanting the meeting. You could tell what he was prepared for. He was prepared for the request for investigations. He knew what he had to promise, and he knew what he wanted to obtain, and that was the visit.

You also saw in that video, that rather sad video—yes, sort of humorous but sad, too—Zelensky and President Trump at the U.N., where he is saying: You know, I still haven't gotten that meeting.

I can tell you something—and this is what is so frightening about these circumstances. If we had not discovered all of this, he would likely be saying at that U.N. meeting: You know, we are still waiting on that military aid.

Yes, we forced the aid to be released because the President got caught, but, even now, our ally can't get his foot in the door. Even now, our ally can't get his foot in the door.

This brings me to the last point I want to make tonight, which is, when we are done, we believe that we will have made the case overwhelmingly of the President's guilt—that is, that he has done what he is charged with. He withheld the money. He withheld the meeting. He used it to coerce Ukraine to do these political investigations. He covered it up. He obstructed us, and he is trying to obstruct you. He has violated the Constitution.

But I want to address one other thing tonight. OK. He is guilty. OK. He is guilty. Does he really need to be removed? We have an election coming up. Does he really need to be removed? He is guilty. You know, is there really any doubt about this? I mean, do we really have any doubt about the facts here? Does anybody really question whether the President is capable of what he is charged with? Nobody is really making the argument "Donald Trump would never do such a thing" because, of course, we know that he would, and, of course, we know that he did.

It is a somewhat different question, though, to ask: OK. It is pretty obvious. Whether we can say it publicly or we can't say it publicly, we all know what we are dealing with here with this President, but does he really need to be removed?

This is why he needs to be removed: Donald Trump chose Rudy Giuliani over his own intelligence agencies. He chose Rudy Giuliani over his own FBI Director. He chose Rudy Giuliani over his own national security advisers. When all of them were telling him this Ukraine 2016 stuff was kooky, crazy, Russian propaganda, he chose not to believe them. He chose to believe Rudy Giuliani. That makes him dangerous to us, to our country. That was Donald Trump's choice.

Why would Donald Trump believe a man like Rudy Giuliani over a man like Christopher Wray? OK. Why would anyone in his right mind believe Rudy Giuliani over Christopher Wray? Because he wanted to, because what Rudy was offering him was something that would help him personally and what Christopher Wray was offering him was merely the truth. What Christopher Wray was offering him was merely the information he needed to protect this country and its elections, but that was not good enough. What is in it for him? What is in it for Donald Trump? This is why he needs to be removed.

You may be asking: How much damage can he really do in the next several months until the election? A lot—a lot of damage.

We just saw last week a report that Russia tried to hack or maybe did hack Burisma, OK? I don't know if they got in. I am trying to find out. My colleagues on the Intel Committees of the House and Senate are trying to find out. Did the Russians get in? What are the Russians' plans and intentions?

Well, let's say they get in, and let's say they start dumping documents to interfere in the next election. Let's say they start dumping some real things they have from Burisma. Let's say they start dumping some fake things they didn't hack from Burisma, but they want you to believe they did. Let's say they start blatantly interfering in our election again to help Donald Trump.

Can you have the least bit of confidence that Donald Trump will stand up to them and protect our national interests over his own personal interests? You know you can't, which makes him dangerous to this country. You know you can't. You know you can't count on him. None of us can.

What happens if China got the message? Now, you can say: Well, he is just joking, of course. He didn't really mean China should investigate the Bidens. You know that that is no joke.

Now, maybe you could have argued it 3 years ago when he said: Hey, Russia. If you are listening, hack Hillary's emails. Maybe you could have given him a freebee and said he was joking, but now we know better. Hours after he

did that, Russia did, in fact, try to hack Hillary's emails. There is no mul-ligan here when it comes to our national security.

So what if China does overtly or covertly start to help the Trump campaign? Do you think he is going to call them out on it or do you think he is going to give them a better trade deal on it?

Can any of us really have the confidence that Donald Trump will put national interests ahead of his personal interests? Is there really any evidence in this Presidency that should give us the ironclad confidence that he would do so? You know you can't count on him to do that. That is the sad truth. You know you can't count on him to do that.

The American people deserve a President they can count on to put their interests first—to put their interests first.

Colonel Vindman said: Here, right matters. Here, right matters.

Well, let me tell you something. If right doesn't matter—if right doesn't matter—it doesn't matter how good the Constitution is; it doesn't matter how brilliant the Framers were; it doesn't matter how good or bad our advocacy in this trial is; it doesn't matter how well written the oath of impartiality is. If right doesn't matter, we are lost. If the truth doesn't matter, we are lost. The Framers couldn't protect us from ourselves if right and truth don't matter. And you know that what he did was not right.

You know, that is what they do in the old country that Colonel Vindman's father came from or the old country that my great-grandfather came from or the old countries that your ancestors came from or maybe you came from, but here, right is supposed to matter. It is what has made us the greatest Nation on Earth. No Constitution can protect us if right doesn't matter anymore.

And you know you can't trust this President to do what is right for this country. You can trust he will do what is right for Donald Trump. He will do it now. He has done it before. He will do it for the next several months. He will do it in the election if he is allowed to. This is why, if you find him guilty, you must find that he should be removed—because right matters. Because right matters. And the truth matters. Otherwise, we are lost.

The CHIEF JUSTICE. The majority leader is recognized.

ADJOURNMENT UNTIL 1 P.M.  
TOMORROW

Mr. MCCONNELL. Mr. Chief Justice, I ask unanimous consent that the trial adjourn until 1 p.m., Friday, January 24, and that this order also constitute the adjournment of the Senate.

There being no objection, at 10:32 p.m., the Senate, sitting as a Court of Impeachment, adjourned until Friday, January 24, 2020, at 1 p.m.