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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, January 24, 2020, at 2 p.m.

Senate

THURSDAY, JANUARY 23, 2020

The Senate met at 1:02 p.m. and was called to order by the Chief Justice of the United States.

TRIAL OF DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES

The CHIEF JUSTICE. The Senate will convene as a Court of Impeachment.

The Chaplain will offer a prayer.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, our rock of ages, be omnipresent during this impeachment trial, providing our Senators with the assuring awareness of Your powerful involvement. May they strive to have a clear conscience in whatever they do for You and country. Lord, help them remember that listening is often more than hearing. It can be an empathetic attentiveness that builds bridges and unites. May our Senators not permit fatigue or cynicism to jeopardize friendships that have existed for years. At every decision point throughout this trial, may they ask, which choice will bring God the greater glory?

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Chief Justice led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE JOURNAL

The CHIEF JUSTICE. Senators will please be seated.

If there is no objection, the Journal of proceedings of the trial are approved to date.

The Sergeant at Arms will make the proclamation.

The Sergeant at Arms, Michael C. Stenger, made proclamation as follows:

Hear ye! Hear ye! Hear ye! All persons are commanded to keep silence, on pain of imprisonment, while the Senate of the United States is sitting for the trial of the articles of impeachment exhibited by the House of Representatives against Donald John Trump, President of the United States.

The CHIEF JUSTICE. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. Chief Justice, it is my understanding the schedule today will be similar to yesterday's proceedings. We will plan to take short breaks every 2 or 3 hours and will accommodate a 30-minute recess for dinner, assuming that is needed.

The CHIEF JUSTICE. Pursuant to the provisions of S. Res. 483, the managers of the House of Representatives have 16 hours and 42 minutes remaining to make the presentation of their case.

The Senate will now hear you.

The Presiding Officer recognizes Mr. Manager SCHIFF to continue the presentation of the case for the House of Representatives.

OPENING STATEMENT—CONTINUED

Mr. Manager SCHIFF. Mr. Chief Justice, I thank you, and I thank the Senators for 2 now very long days. We are greatly appreciative of Chief Justice, knowing that, prior to your arrival in the Chamber each day, you have a lot of work at the Court, necessitating our beginning in the afternoon and going into the evening.

I also want to, again, take this opportunity to thank the Senators for their long and considerable attention over the course of the last 2 days. I am not sure the Chief Justice is fully aware of just how rare it is, how extraordinary it is, for the House Members to be able to command the attention of Senators sitting silently for hours—or even for minutes, for that matter. Of course, it doesn't hurt that the morning starts out every day with the Sergeant at Arms warning you that, if you don't, you will be imprisoned. It is our hope that, when the trial concludes and you have heard us and you have heard the President's counsel over a series of long days, that you don't choose imprisonment instead of anything further.

Two days ago we made the case for documents and for witnesses in the trial. Yesterday we walked through the chronology, the factual chronology, at some length.

Today we will go through article I, the constitutional underpinnings of abuse of power, and apply the facts of the President's scheme to the law and Constitution. Here I must ask you for some forbearance. Of necessity, there will be some repetition of information

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

from yesterday's chronology, and I want to explain the reason for it.

You have now heard hundreds of hours of deposition and live testimony from the House condensed into an abbreviated narrative of the facts. We will now show you these facts and many others and how they are interwoven. You will see some of these facts and videos, therefore, in a new context, in a new light: in the light of what else we know and why it compels a finding of guilt and conviction. So there is some method to our madness.

Tomorrow we will conclude the presentation of the facts and law on article I, and we will begin and complete the same on article II, the President's unconstitutional obstruction of Congress. The President's counsel will then have 3 days to make their presentations, and then you will have 16 hours to ask questions. Then the trial will begin. Then you will actually get to hear from the witnesses yourself, and then you will get to see the documents yourself—or so we hope, and so do the American people. After their testimony and after we have had closing arguments, then it will be in your hands.

So let's begin today's presentation. I yield to House Manager NADLER.

Mr. Manager NADLER. Good morning, Mr. Chief Justice, Senators, my fellow House managers, and counsel for the President. This is the third day of a solemn occasion for the American people.

The Articles of Impeachment against President Trump rank among the most serious charges ever brought against a President. As our recital of the facts indicated, the articles are overwhelmingly supported by the evidence amassed by the House, notwithstanding the President's complete stonewalling, his attempt to block all witnesses and all documents from the U.S. Congress.

The first Article of Impeachment charges the President with abuse of power. President Trump used the powers of his office to solicit a foreign nation to interfere in our elections for his own personal benefit.

Note that the active solicitation itself—just the ask—constitutes an abuse of power, but President Trump went further. In order to secure his favor from Ukraine, he withheld two official acts of immense value. First, he withheld the release of $391 million in vital military assistance appropriated by Congress on a bipartisan basis, which Ukraine needed to fight Russian aggression. Second, President Trump withheld a long-sought-after White House meeting which would confirm to the world that America stands behind Ukraine in its ongoing struggle.

The President's conduct is wrong. It is illegal. It is dangerous. It captures the worst fears of our Founders and the Framers of the Constitution.

Since President George Washington took office in 1789, no President has abused his power in this way. Let me say that again. No President has ever used his office to compel a foreign nation to help him cheat in our elections. Prior Presidents would be shocked to the core by such conduct, and rightly so.

Now, because President Trump has largely failed to convince the country that his conduct was remotely acceptable, he has adopted a fallback position. He argues that even if we disapprove of his misconduct, we cannot remove him for it. Frankly, that argument is itself terrifying. It confirms that this President sees no limits on his power or on his ability to use his public office for private gain. Of course, the President also believes that he can use his power to cover up his crimes.

That leads me to the second article of impeachment, which charges that the President categorically, indiscriminately, and unlawfully obstructed our inquiry, the congressional inquiry, into his conduct. This Presidential stonewalling of Congress is unprecedented in the 238-year history of our constitutional Republic. It puts even President Nixon to shame.

Taken together, the articles and the evidence conclusively establish that President Trump has placed his own personal political interests first. He has placed them above our national security, above our free and fair elections, and above our system of checks and balances. This conduct is not America first; it is Donald Trump first. Donald Trump swore an oath to faithfully execute the laws. That means putting the Nation's interests above his own. The President has repeatedly, flagrantly, violated his oath.

(Text of Videotape presentation:)

Mr. GERHARDT. I just want to stress that if this—if what we're talking about is not impeachable, then nothing is impeachable. This is precisely the misconduct that the Framers created a constitution, including impeachment, to protect against.

Mr. Manager NADLER. All of the legal experts who testified before the House Judiciary Committee—those invited by the Democrats and those invited by the Republicans—all agreed that the conduct we have charged constitutes high crimes and misdemeanors.

Professor Michael Gerhardt, the author of six books and the only joint witness when the House considered President Clinton's case, put it simply: ''If what we are talking about is not impeachable, then nothing is impeachable.''

Professor Jonathan Turley, called by the Republicans as a witness, agreed that the articles charge an offense that is impeachable. In his written testimony, he stated: ''The use of military aid for a quid pro quo to investigate one's political opponent, if proven, can be an impeachable offense.''

Thus far, we have presented the core factual narrative. None of that record can be seriously disputed, and none of it will be disputed.

We can predict what the President's lawyers will say in the next few days. I urge you, Senators, to listen to it carefully. You will hear accusations and name-calling. You will hear complaints about the process in the House and the motives of the managers. You will hear that this all comes down to a phone call that was perfect—as if you had not just seen evidence of a months-long, government-wide effort to extort a foreign government. But you will not hear a refutation of the evidence. You will not hear testimony to refute the testimony you have seen. Indeed, if the President had any exculpatory witnesses—even a single one—he would be demanding their appearance here, instead of urging you not to permit additional witnesses to testify.

Let me offer a preview of the path ahead. First, we will examine the law of impeachable offenses, with a focus on abuse of power. That will be the subject of my presentation. Then, my colleagues will apply the law to the facts. They will demonstrate that the President has unquestionably committed the high crimes and misdemeanors outlined in the first Article of Impeachment.

Once those presentations are concluded, we will take the same approach to demonstrating President Trump's obstruction of Congress—the second Article of Impeachment. We will begin by stating the law. Then we will review the facts, and then we will apply the law to the facts, proving that President Trump is guilty of the second Article of Impeachment as well.

With that roadmap to guide us, I will begin by walking through the law of abuse of power. Here, I will start by defining the phrase in the Constitution ''high Crimes and Misdemeanors.''

When the Framers selected this term, they meant it to capture, as George Mason put it, all manner of ''great and dangerous offenses'' against the Nation. In contemporary terms, the Framers had three specific offenses in mind: abuse of power, betrayal of the Nation through foreign entanglements, and corruption of elections.

You can think of these as the ABCs of high crimes and misdemeanors: abuse, betrayal, and corruption. The Framers believed that any one of these offenses, standing alone, justified removal from office.

Professor Noah Feldman of Harvard Law School explained this well before the House Judiciary Committee. Here is his explanation of why the Framers created the impeachment power.

(Text of Videotape presentation:)

Professor FELDMAN. The Framers provided for the impeachment of the President because they feared that the President might abuse the power of his office for personal benefit, to corrupt the electoral process and ensure his reelection, or to subvert the national security of the United States.

Mr. Manager NADLER. That is the standard as described by Professor Feldman. All three appear at once—abuse, betrayal, and corruption. That is where we have the strongest possible case for removing a President from office. Later on, we will apply this rule to the facts.

Abuse: We will show that President Trump abused his power when he used his office to solicit and pressure Ukraine to meddle in our elections for his personal gain.

Betrayal: We will show that he betrayed vital national interests—specifically, our national security—by withholding diplomatic support and military aid from Ukraine, even as it faced armed Russian aggression.

Corruption: President Trump's intent was to corrupt our elections to his personal, political benefit. He put his personal interest in retaining power above free and fair elections—and above the principle that Americans must govern themselves, without interference from abroad.

Article I thus charges a high crime and misdemeanor that blends abuse of power, betrayal of the Nation, and corruption in elections into a single unforgivable scheme. That is why this President must be removed from office, especially before he continues his effort to corrupt our next election.

The charges set forth in the first Article of Impeachment are firmly grounded in the Constitution of the United States. Simply stated, impeachment is the Constitution's final answer to a President who mistakes himself for a King.

The Framers had risked their freedom, and their lives, to escape monarchy. Together, they resolved to build a nation committed to democracy and the rule of law—a beacon to the world at an age of aristocracy. In the United States of America, ''We the people'' would be sovereign. We would choose our leaders and hold them accountable for how they exercised power on our behalf.

In writing our Constitution, the Framers recognized that we needed a Chief Executive who could lead the Nation with efficiency, energy, and dispatch. So they created a powerful Presidency and vested it with immense public trust. But this solution created a different problem.

The Framers were not naive. They knew that power corrupts. They knew that Republics cannot flourish—and that people cannot live free—under a corrupt leader. They foresaw that a President faithful only to himself would endanger every American. So the Framers built guardrails to ensure that the American people would remain free and to ensure that out-of-control Presidents would not destroy everything they sought to build.

They imposed elections every 4 years to ensure accountability. They banned the President from profiting off his office. They divided the powers of the Federal Government across three branches. They required the President to swear an oath to faithfully execute the laws.

To the Framers, the concept of faithful execution was profoundly important. It prohibited the President from exercising power in bad faith or with corrupt intent, and thus ensured that the President would put the American people first, not himself.

A few Framers would have stopped there. This minority feared vesting any branch of government with the power to remove a President from office. They would have relied on elections alone to address rogue Presidents. But that view was decisively rejected at the Constitutional Convention.

Convening in the shadow of rebellion and revolution, the Framers would not deny the Nation an escape from Presidents who deemed themselves above the law. Instead, they adopted the power of impeachment. In so doing, they offered a clear answer to George Mason's question: ''Shall any man be above justice?'' As Mason himself explained, ''some mode of displacing an unfit magistrate is rendered indispensable by the fallibility of those who choose, as well as by the corrupt ability of the man chosen.''

Unlike in Britain, the President would answer personally—to Congress and thus to the Nation—for any serious wrongdoing. But this decision raised a question: What conduct would justify impeachment and removal?

As careful students of history, the Framers knew that threats to democracy can take many forms. They feared would-be monarchs but also warned against fake populists, charismatic demagogues, and corrupt ''kleptocrats.''

In describing the kind of leader who might menace the Nation, Alexander Hamilton offered an especially striking portrait. Mr. SCHIFF read this portrait in his introductory remarks and it bears repetition.

> When a man unprincipled in private life, desperate in his fortune, bold in his temper . . . known to have scoffed in private at the principles of liberty—when such a man is seen to mount the hobby horse of popularity—to join in the cry of danger to liberty—to take every opportunity of embarrassing the General Government & bringing it under suspicion—to flatter and fall in with all the non sense of the zealots of the day—It may justly be suspected that his object is to throw things into confusion that he may ride the storm and direct the whirlwind.

Hamilton was a wise man. He foresaw dangers far ahead of his time. Given the many threats they had to anticipate, the Framers considered extremely broad grounds for removing Presidents. For example, they debated setting the bar at maladministration, to allow removal for run-of-the-mill policy disagreements between Congress and the President.

They also considered very narrow grounds, strictly limiting impeachment to treason and bribery. Ultimately, they struck a balance.

They did not want Presidents removed for ordinary political or policy disagreements, but they intended impeachments to reach the full spectrum of Presidential misconduct that might threaten the Constitution, and they intended our Constitution to endure for the ages. They adopted a standard that meant, as Mason put it, to capture all manner of ''great and dangerous offenses'' incompatible with the Constitution. This standard, borrowed from the British Parliament, was ''high Crimes and Misdemeanors.''

In England, the standard was understood to capture offenses against the constitutional system itself. That is confirmed by the use of the word ''high,'' as well as by parliamentary practice.

From 1376 to 1787, the House of Commons impeached officials on a few general grounds—mainly consisting of abuse of power, betrayal of national security and foreign policy, corruption, treason, bribery, and disregarding the powers of Parliament.

The phrase ''high Crimes and Misdemeanors'' thus covered offenses against the Nation itself—in other words, crimes against the British Constitution.

As scholars were shown, the same understanding prevailed on this side of the Atlantic. In the colonial period and under newly ratified State constitutions, most impeachments targeted abuse of power, betrayal of the revolutionary cause, corruption, treason, and bribery. These experiences were well-known to the Framers of the Constitution.

History thus teaches that ''high Crimes and Misdemeanors'' referred mainly to acts committed by officials using their power or privileges, that inflicted grave harm on society. Such great and dangerous offenses included treason, bribery, abuse of power, betrayal of the Nation, and corruption of office. And they were unified by a clear theme.

Officials who abused, abandoned, or sought to benefit personally from their public trust—and who threatened the rule of law if left in power—faced impeachment and removal. Abuse, betrayal, corruption—this is exactly the understanding that the Framers incorporated into the Constitution.

As Supreme Court Justice Robert Jackson wisely observed, ''the purpose of the Constitution was not only to grant power, but to keep it from getting out of hand.''

Nowhere is that truer than in Presidency. As the Framers created a formidable Chief Executive, they made clear that impeachment is justified for serious abuse of power.

James Madison stated that impeachment is necessary because the President ''might pervert his administration into a scheme of . . . oppression.''

Hamilton set the standard for removal at an ''abuse or violation of some public trust.''

And in Massachusetts, Rev. Samuel Stillman asked: ''With such a prospect [of impeachment], will dare to abuse the powers vested in him by the people?''

Time and again, Americans who wrote and ratified the Constitution confirmed that Presidents may be impeached for abusing the power entrusted to them.

To the Framers' generation, moreover, abuse of power was a well-understood offense. It took two basic forms. The first occurred when someone exercised power in ways far beyond what the law allowed—or in ways that destroyed checks on their own authority.

The second occurred when an official exercised power to obtain an improper personal benefit, while ignoring or injuring the national interest. In other words, the President may commit an impeachable abuse of power in two different ways: by engaging in clearly forbidden acts or by taking actions that are allowed but for reasons that are not allowed—for instance, to obtain corrupt, private benefits.

Let me unpack that idea, starting with the first category: conduct clearly inconsistent with the law, including the law of checks and balances. The generation that rebelled against George III knew what absolute power looked like. It was no abstraction to them. They had a different idea in mind when they organized our government. Most significantly, they placed the President under the law, not above it. That means the President may exercise only the powers vested in him by the Constitution. He must also respect the legal limits on the exercise of those powers.

A President who egregiously refuses to follow these restrictions, by engaging in wrongful conduct, may be subjected to impeachment for abuse of power. Two American impeachment inquiries have involved claims that a President grossly violated the Constitution's separation of powers.

The first was in 1868, when the House impeached President Andrew Johnson, who had succeeded Abraham Lincoln after his assassination at Ford's Theatre.

In firing the Secretary of War, President Johnson allegedly violated the Tenure of Office Act, which restricted the President's power to remove Cabinet members during the term of the President who had appointed them.

The House of Representatives approved articles charging it with conduct forbidden by law. That is an action that is an abuse of power on its face. Ultimately, the Senate acquitted President Johnson by one vote. This was partly because there was a strong argument that the Tenure of Office Act, which President Johnson was charged with violating, was itself unconstitutional—a position the Supreme Court later accepted. Of course, historians have also noted that a key Senator appears to have changed his vote at the last minute in exchange for promises of special treatment by President Johnson. So perhaps that acquittal means a little less than meets the eye.

In any event, just over 100 years later, the House Judiciary Committee accused the second Chief Executive of abusing his power in a manner egregiously inconsistent with the law. The committee charged President Nixon with obstruction of Congress based on his meritless assertion of executive privilege to cover up key White House tape recordings.

We will have more to say about the obstruction charge in a moment.

But the Nixon case also exemplifies the second way a President can abuse his power. President Nixon faced two more Articles of Impeachment. Both of these articles charged him with abusing the powers of his office with corrupt intent. One focused on his abuse of power to obstruct law enforcement. The other targeted his abuse of power to target political opponents. Each article enumerated specific abuses by President Nixon, many of which involved the wrongful, corrupt exercise of Presidential power and many of which were likely not statutory crimes.

In explaining its second article, the House Judiciary Committee stated that President Nixon's conduct was ''undertaken for his personal political advantage and not in furtherance of any valid national policy objective.''

That should sound familiar to everyone here. It reflects the standard I have already articulated: the exercise of official power to corruptly obtain a personal benefit while ignoring or injuring the national interest.

To be sure, all Presidents account to some extent for how their decisions in office may affect their political prospects. The Constitution does not forbid that. Elected officials can and should care about how voters will react to their decisions. They will often care about whether their decisions make it more likely that they will be reelected. But there is a difference—a difference that matters—between political calculus and outright corruption.

Some uses of Presidential power are so outrageous, so obviously improper, that if they are undertaken for a President's own personal gain, with injury or indifference to core national interests, then they are obviously high crimes and misdemeanors. Otherwise, even the most egregious wrongdoing could be justified as disagreement over policy or politics, and corruption that would have shocked the Framers—that they expressly sought to prohibit—would overcome the protections they established for our benefit.

There should be nothing surprising about impeaching a President for using his power with corrupt motives. The House and Senate have confirmed this point in prior impeachments. More important, the Constitution itself says that we can do so.

To start, the Constitution requires that the President ''faithfully execute'' the law. A President who acts with corrupt motives, putting himself above country, has acted faithlessly, not faithfully executing the law.

Moreover, the two impeachable offenses that the Constitution enumerates—Treason and Bribery—each require proof of the President's mental state. For treason, he must have acted with a ''disloyal mind,'' according to the Supreme Court. And it is well established that the elements of bribery include corrupt motives.

In sum, to the Framers, it was dangerous for officials to exceed their constitutional power. But it was equally dangerous—perhaps more so—for officials to use their power with corrupt, nefarious motives, thus perverting public trust for private gain.

Abuse of power is clearly an impeachable offense under the Constitution. To be honest, this should not be a controversial statement. I find it amazing that the President rejects it. Yet he does. He insists there is no such thing as impeachable abuse of power. This position is dead wrong. All prior impeachments considered of high office have always included abuse of power. All of the experts who testified before the House Judiciary Committee, including those called by the Republicans, agreed that abuse of power is a high crime and misdemeanor.

Here is testimony from Professor Pam Karlan of Stanford Law School, joined by Professor Gerhardt.

(Text of Videotape presentation:)

Mr. EISEN. Professor Karlan, do scholars of impeachment generally agree that abuse of power is an impeachable offense?

Ms. KARLAN. Yes, they do.

Mr. EISEN. Professor Gerhardt, do you agree that abuse of power is impeachable?

Mr. GERHARDT. Yes, sir.

Mr. Manager NADLER. Professor Turley, who testified at the Republican invitation, echoed that view. In fact, he not only agreed, but he ''stressed'' that ''it is possible to establish a case for impeachment based on a non-criminal allegation of abuse of power.''

Professor Turley is hardly the only legal expert to take that view. Another who comes to mind is Professor Allen Dershowitz—at least Alan Dershowitz in 1998. Back then, here is what he had to say about impeachment for abuse of power.

(Text of Videotape presentation:)

Mr. DERSHOWITZ. It certainly doesn't have to be a crime. If you have somebody who completely corrupts the office of President and who abuses trust and poses great danger to our liberty, you don't need a technical crime.

Mr. Manager NADLER. But we need not look to 1998 to find one of President Trump's key allies espousing this view. Consider the comments of our current Attorney General, William Barr, a man known for his extraordinarily expansive view of Executive power. In Attorney General Barr's view, as expressed about 18 months ago, Presidents cannot be indicted or criminally investigated—but that's OK because they can be impeached. That's the safeguard. And in an impeachment, Attorney General added, the President is ''answerable for any abuses of discretion'' and may be held ''accountable under law for his misdeeds in office.''

In other words, Attorney General Barr believes, along with the Office of Legal Counsel, that a President may not be indicted. He believes that is OK.

We don't need that safeguard against a President who would commit abuses of power. It is OK because he can be impeached. That is the safeguard for abuses of discretion and for his misdeeds in office.

More recently, a group of the Nation's leading constitutional scholars—ranging across the ideological spectrum from Harvard Law Professor Larry Tribe to former Ronald Reagan Solicitor General Charles Fried—issued a statement affirming that ''abuse of power counts as an instance of impeachable high crimes and misdemeanors under the Constitution.''

They added: ''That was clearly the view of the Constitution's framers.''

I could go on, but you get the point. Everyone, except President Trump and his lawyers, agrees that Presidents can be impeached for abuse of power. The President's position amounts to nothing but self-serving constitutional nonsense. And it is dangerous nonsense at that. A President who sees no limit on his power manifestly threatens the Republic.

The Constitution always matches power with constraint. That is true even of powers vested in the Chief Executive. Nobody is entitled to wield power under the Constitution if they ignore or betray the Nation's interests to advance their own. President Nixon was wrong in asserting that ''when the President does it, that means it is not illegal.'' And President Trump was equally wrong when he declared that he had ''the right to do whatever I want as president.''

Under the Constitution, he is subject to impeachment and removal for abuse of power. And as we will prove, that is exactly what must happen here.

Of course, President Trump's abuse of power—as charged in the first Article of Impeachment and supported by a mountain of evidence—is aggravated by another concern at the heart of the Constitution's impeachment clause.

Betrayal. The Founders of our country were not fearful men. When they wrote our Constitution, they had only recently won a bloody war for independence. But as they looked outward from their new Nation, they saw Kings scheming for power, promising fabulous wealth to spies and deserters. The United States could be enmeshed in such conspiracies. ''Foreign powers,'' warned Elbridge Gerry, ''will intermeddle in our affairs, and spare no expense to influence them.''

The young Republic might not survive a President who schemed with other nations, entangling himself in secret deals that harmed our democracy. That reality loomed over the impeachment debate in Philadelphia.

Explaining why the Constitution required an impeachment option, Madison argued that a President ''might betray his trust to foreign powers.'' To be sure, the Framers did not intend impeachment for genuine, good faith disagreements between the President and Congress over matters of diplomacy. But they were explicit that betrayal of the Nation through plots with foreign powers must result in removal from office. And no such betrayal scared them more than foreign interference in our democracy.

In his Farewell Address, George Washington warned Americans ''to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government.''

And in a letter to Thomas Jefferson, John Adams wrote:

> You are apprehensive of foreign Interference, Intrigue, Influence.—So am I.—But, as often as Elections happen, the danger of foreign Influence recurs.

The Framers never suggested that the President's role in foreign affairs should prevent Congress from impeaching him for treachery in his dealings. Case in point: they wrote a Constitution that gives Congress extensive responsibility over foreign affairs—Congress—including the power to declare war, regulate foreign commerce, establish a uniform rule of naturalization, and define offenses against the law of nations.

Contrary to the claims you heard the other day—that the President has plenary authority in foreign affairs and there is nothing Congress can do about it—the Supreme Court has stated that constitutional authority over the ''conduct of the foreign relations of our Government'' is shared between ''the Executive and Legislative [branches].''

Or to quote another Supreme Court case: ''The Executive is not free from the ordinary controls and checks of Congress merely because foreign affairs are at issue.''

In these realms, Justice Jackson wrote, the Constitution ''enjoins upon its branches separateness but interdependence, autonomy but reciprocity.''

Where the President betrays our national security and foreign policy interests for his own personal gain, he is unquestionably subject to impeachment and removal. The same is true of a different concern raised by the Framers: the use of Presidential power to corrupt the elections and the Office of the Presidency.

The Framers were no strangers to corruption. They understood that corruption had broken Rome, debased Britain, and threatened America. They saw no shortage of threats to the Republic and fought valiantly to guard against them. But as one scholar writes, ''the big fear underlying all the small fears was whether they'd be able to control corruption.''

So the Framers attempted to build a government in which officials would not use public power for personal benefits, disregarding the public good in pursuit of their own advancement.

This principle applied with special force to the Presidency. As Madison emphasized, because the Presidency ''was to be administered by a single man,'' his corruption ''might be fatal to the Republic.''

Indeed, no fewer than four delegates to the Constitutional Convention—Madison, plus Morris, Mason, and Randolph—listed corruption as a central reason why Presidents must be subject to impeachment and removal from office. Impeachment was seen as especially necessary for Presidential conduct corrupting our system of political self-government. The Framers foresaw and feared that a President might someday place his personal interest in reelection above our abiding commitment to democracy. Such a President, in their view, would need to be removed from office.

Professor Feldman made this point in his testimony before the House Judiciary Committee:

(Text of Videotape presentation:)

> Mr. FELDMAN. The Framers reserved impeachment for situations where the President abused his office, that is, used it for his personal advantage. And, in particular, they were specifically worried about a situation where the President used his office to facilitate corruptly his own reelection. That's, in fact, why they thought they needed impeachment and why waiting for the next election wasn't good enough.

Professor Feldman's testimony is grounded in the records of the Constitutional Convention.

There, William Davie warned that a President who abused his office might spare no efforts or means whatever to get himself reelected and, thus, to escape justice.

George Mason built on Davie's position, asking: ''Shall the man who has practiced corruption, and by that means procured his appointment to the first instance, be suffered to escape punishment by repeating his guilt?'' Mason's concern was straightforward. He feared that Presidents would win election by improperly influencing members of the electoral college.

Gouverneur Morris later echoed this point, urging that the Executive ought therefore to be impeachable for corrupting his electors.

Taken together, these debates demonstrate an essential point: The Framers knew that a President who abused power to manipulate elections presented the greatest possible threat to the Constitution. After all, the beating heart of the Framers' project was a commitment to popular sovereignty.

At a time when democratic self-government existed almost nowhere on Earth, the Framers imagined a society where power flowed from and returned to the people. That is why the President and Members of Congress must stand before the public for reelection on fixed terms, and if the President abuses his power to corrupt those elections, he threatens the entire system.

As Professor Karlan explained in her testimony:

(Text of Videotape presentation:)

> Professor KARLAN. [D]rawing a foreign government into our elections is an especially serious abuse of power because it undermines democracy itself. Our Constitution begins with the words ''We the people'' for a reason. Our government, in James Madison's

words, derives all its powers directly or indirectly from the great body of the people, and the way it derives these powers is through elections. Elections matter, both to the legitimacy of our government and to all of our individual freedoms, because, as the Supreme Court declared more than a century ago, voting is preservative of all rights.

Mr. Manager NADLER. Professor Karlan is right—elections matter. They make our government legitimate, and they protect our freedom. A President who abuses his power in order to kneecap political opponents and spread Russian conspiracy theories—a President who uses his office to ask for or, even worse, to compel foreign nations to meddle in our elections—is a President who attacks the very foundations of our liberty. That is a grave abuse of power. It is an unprecedented betrayal of the national interest. It is a shocking corruption of the election process, and it is without a doubt a crime against the Constitution, warranting, demanding his removal from office.

The Framers expected that free elections would be the usual means of protecting our freedoms, but they knew that a President who sought foreign assistance in his campaign must be removed from office before he could steal the next election.

In a last-ditch legal defense of their client, the President's lawyers argue that impeachment and removal are subject to statutory crimes or to offenses against established law, that the President cannot be impeached because he has not committed a crime. This view is completely wrong. It has no support in constitutional text and structure, original meaning, congressional precedents, common sense, or the consensus of credible experts. In other words, it conflicts with every relevant consideration.

Professor Gerhardt succinctly captured the consensus view in his testimony.

(Text of Videotape presentation:)

COUNSEL. Now, Professor Gerhardt, does a high crime and misdemeanor require an actual statutory crime?

Mr. GERHARDT. No. It plainly does not. Everything we know about the history of impeachment reinforces the conclusion that impeachable offenses do not have to be crimes. And, again, not all crimes are impeachable offenses. We look, again, at the context of the gravity of the misconduct.

Mr. Manager NADLER. This position was echoed by the Republicans' expert witness, Professor Turley, in his written testimony.

There, he stated: ''It is possible to establish a case for impeachment based on a non-criminal allegation of abuse of power.''

He also stated: ''It is clear that high Crimes and Misdemeanors can encompass non-criminal conduct.''

More recently, Professor Turley—again, the Republican witness at our hearing—wrote an opinion piece in the Washington Post entitled ''Where the Trump defense goes too far.'' In this piece, he stated that the President's argument ''is as politically unwise as it is constitutionally shortsighted.'' He added: ''If successful, it would also come at a considerable cost for the Constitution.'' Although I disagree with Professor Turley on many, many issues, here, he is clearly right.

I might say the same thing of then-House Manager LINDSEY GRAHAM, who, in President Clinton's trial, flatly rejected the notion that impeachable offenses are limited to violations of established law.

This is what he said:

(Text of Videotape presentation:)

Mr. GRAHAM. What is a high crime? How about if an important person hurts somebody of low means? It is not very scholarly, but I think it's the truth. I think that's what they meant by high crimes. It doesn't have to be a crime. It is just—when you start using your office and you're acting in a way that hurts people, you have committed a high crime.

Mr. Manager NADLER. There are many reasons why high crimes and misdemeanors are not and cannot be limited to violations of the Criminal Code. We address them at length in the briefs we have filed and in the report of the House Judiciary Committee respecting these Articles of Impeachment, but I would like to highlight a few especially important considerations. I will tick through them quickly.

First, there is the matter of the historical record. The Framers could not have meant to limit impeachment to statutory crimes. Presidents are to be impeached and removed from office for ''treason, bribery, and other high Crimes and Misdemeanors,'' but bribery was not made a statutory crime until 1837.

Second, the President's position is contradicted by the Constitution's text. The Framers repeatedly referred to ''crimes,'' ''offenses,'' and ''punishment'' elsewhere in the Constitution, but here they refer to ''high Crimes.'' That matters. It matters because the phrase ''high Crimes'' refers to offenses against the State rather than to workaday crimes, and it matters because the phrase ''high crimes and misdemeanors'' had a rich history in England, where it had been applied in many, many cases that did not involve crimes under British law. When the Framers added ''high Crimes'' here but nowhere else in the Constitution, they made a deliberate choice. Any doubt in that score is dispelled by the Framers' own statements.

In Federalist No. 65, Alexander Hamilton explained that impeachable offenses are defined fundamentally by ''the abuse or violation of some public trust.''

A few years later, James Wilson, a Constitutional Convention delegate, agreed with Hamilton.

Wilson stated:

Impeachments, and offences and offenders impeachable, come not . . . within the sphere of ordinary jurisprudence. They are founded on different principles, governed by different maxims, and are directed to different objects.

George Mason expressed concern that the President might abuse the pardon power to ''screen from punishment those whom he had secretly instigated to commit the crime, and thereby prevent a discovery of his own guilt.'' Sound familiar?

James Madison responded directly to Mason's concern because Mason's concern was that the pardon power might be too broad and the President might misuse his broad pardon power to pardon his own coconspirators and prevent a discovery of his own guilt.

Madison responded:

If the President be connected, in any suspicious manner, with any person, and there be grounds to believe he will shelter him, the House of Representatives can impeach him; they can remove him if found guilty.

At the North Carolina ratifying convention, James Iredell, who would go on to serve on the Supreme Court, responded to the same concern. He assured delegates that if the President abused his power with ''some corrupt motive or other,'' he would be ''liable for impeachment.''

In the early 1800s, this understanding was echoed by Supreme Court Justice Story, who wrote a famous treatise on the Constitution. There, he rejected the equation of crimes and impeachable offenses, which, he stated, ''must be examined upon very broad and comprehensive principles of public policy and duty.''

Later in American history, Chief Justice and former President William Howard Taft, as well as Chief Justice Charles Evans Hughes, publicly stated that impeachable offenses are not limited to crimes but, instead, capture a broader range of misconduct. Indeed, under Chief Justice Taft, the Supreme Court unanimously observed that abuse of the President's pardon power to frustrate the enforcement of court orders ''would suggest resort to impeachment.'' Now, notice, pardon power is unlimited. What they are saying here is the abuse of the pardon power. Abuse of the pardon power for a corrupt motive is impeachable.

If all of that authority is not enough to convince you, there is more.

Historians have shown that American colonists before the Revolution and American States after the Revolution but before 1787 all impeached officials for noncriminal conduct. Over the past two centuries, moreover, a strong majority of the impeachments voted by the House have included one or more allegations that did not charge a violation of criminal law. Indeed, the Senate has convicted and removed multiple judges on noncriminal grounds.

Judge Archbald was removed in 1912 for noncriminal speculation in coal properties.

Judge Ritter was removed in 1936 for the noncriminal offense of bringing his court ''into scandal and disrepute.'' During Judge Ritter's case, one of my predecessors as chairman of the House Judiciary Committee stated expressly: ''We do not assume the responsibility

. . . of proving that the respondent is guilty of a crime as that term is known in criminal jurisprudence.'' What is true for judges is also true for Presidents, at least on this point.

The House Judiciary Committee approved three Articles of Impeachment against President Nixon. Each of them encompassed many acts that did not violate Federal law. One of the articles—obstruction of Congress—involved no allegations of any legal violation.

It is worth reflecting on why President Nixon was forced to resign. Most Americans are familiar with the story. The House Judiciary Committee approved Articles of Impeachment in July 1974. Those articles passed with bipartisan support, although most Republicans stood by President Nixon.

Then the smoking gun tape came out. Within a week, almost everyone who supported the President the week before changed his position, and the President was forced to resign because of what was revealed on the smoking gun tape. Within a week, Senator Goldwater and others from the Senate went to the President and said: You won't have a single vote in the Senate. You must resign, or you will be removed from office because of the evidence on the smoking gun tape.

But what was on the smoking gun tape? The smoking gun tape had recordings of President Nixon's instructing White House officials to pressure the CIA and the FBI to end the Watergate investigation. No law explicitly prohibited that conversation—it was not, in that sense, a crime—but President Nixon had abused his power. He had tried to use two government agencies—the FBI and the CIA—for his personal benefit. His impeachment and removal were certain, and he announced his resignation within days.

Decades later, in President Clinton's case, the Judiciary Committee's report on the Articles of Impeachment stated: ''The actions of President Clinton do not have to rise to the level of violating the federal statute regarding obstruction of justice in order to justify impeachment.''

There is, thus, overwhelming authority against restricting impeachments to violations of established or statutory law. Every relevant principle of constitutional law compels that result. So does common sense.

Impeachment is not a punishment for crimes. Impeachment exists to address threats to the political system, applies only to political officials, and responds not by imprisonment or fines but only by stripping political power.

It would make no sense to say that a President who engages in horrific abuses must be allowed to remain in office unless Congress had anticipated his or her specific conduct in advance and written a statute expressly outlawing it. For one thing, that would be practically impossible. As Justice Story observed, the threats posed by Presidential abuse ''are of so various and complex a character'' that it would be ''almost absurd'' to attempt a comprehensive list.

The Constitution is not a suicide pact. It does not leave us stuck with Presidents who abuse their power in unforeseen ways that threaten our security and democracy.

Until recently it did not occur to me that our President would call a foreign leader and demand a sham investigation meant to kneecap his political opponents, all in exchange for releasing vital military aid that the President was already required by law to provide.

No one anticipated that a President would stoop to this misconduct, and Congress has passed no specific law to make this behavior a crime.

Yet this is precisely the kind of abuse that the Framers had in mind when they wrote the impeachment clause and when they charged Congress with determining when the President's conduct was so clearly wrong, so definitely beyond the pale, so threatening to the constitutional order as to require his removal, and that is why we are here today.

You must judge for yourselves whether justice will be had for President Trump's crimes against our freedom and the Constitution.

I will conclude by highlighting a few points that merit special emphasis, as you apply the law of impeachment to President Trump's misconduct.

First, impeachment is not for petty offenses. The President's conduct must constitute, as Mason put it, a great and dangerous offense against the Nation—offenses that threaten the Constitution.

Second, impeachable offenses involve wrongdoing that reveal the President as a continuing threat if he is allowed to remain in office. In other words, we fully recognize that impeachment does not exist for a mistake. It does not apply to acts that are merely unwise or unpopular. Impeachment is reserved for deliberate decisions by the President to embark on a course of conduct that betrays his oath of office and does violence to the Constitution.

When the President has engaged in such conduct, and when there is strong evidence that he will do so again—when he has told us he will do so again, when he has told us that it is OK to invite interference from a foreign power into our next election—the case for removal is at its peak.

This is certainly the case when he invites, indeed, attempts to compel a foreign government to help him subvert the integrity of our next election. There can be no greater threat to the Republic.

Finally, high crimes and misdemeanors involve conduct that is recognizably wrong to a reasonable, honorable citizen. The Framers adopted a standard for impeachment that could stand the test of time. At the same time, the structure of the Constitution implies that impeachable offenses should not come as a surprise. Impeachment is aimed at Presidents who act as if they are above the law, at Presidents who believe their own interests are more important than those of the Nation, and, thus, at Presidents who ignore right and wrong in pursuit of their own gain.

Abuse, betrayal, corruption. Here are each of core offenses that the Framers feared most: The President's abuse of power, his betrayal of the national interest, and his corruption of our elections plainly qualify as great and dangerous offenses.

President Trump has made clear in word and deed that he will persist in such conduct if he is not removed from power. He poses a continuing threat to our Nation, to the integrity of our elections, and to our Democratic order. He must not remain in power one moment longer.

Ms. Manager GARCIA of Texas. Mr. Chief Justice, Senators, President's counsel, we will now walk through the President's abuse of power, the corrupt object of his scheme, his three official acts carrying out his scheme, his attempted coverup and exposure, and the harm to our Nation and continuing threat caused by his misconduct.

Let's start first with the object of the President's scheme.

Senators, we have today provided handouts that you can follow along in our slides.

So as this first slide indicates, in this portion of our presentation, we will discuss the evidence that shows overwhelmingly that President Trump directed this scheme with corrupt intent, with one corrupt objective: to obtain foreign assistance in his reelection bid in the 2020 United States Presidential election.

We will walk through first how the President wanted Ukraine to help in his reelection campaign. He wanted Ukraine to publicly announce two investigations: one into his political rival Joe Biden and the second into the debunked conspiracy theory relating to Ukraine interference in the 2016 election. President Trump himself later confirmed this intent in public statements.

We will then explain how we know these investigations were solely for President Trump's personal, political gain.

First, President Trump made clear he cared only about the announcement—the announcement of the investigations, not the actual investigations.

Second, President Trump similarly made clear he cared only about the ''big stuff.'' The ''big stuff'' meaning his political investigations.

Third, he used his personal attorney, Mr. Giuliani, who repeatedly told us he was pursuing the investigations in his capacity as the President's personal lawyer and that this wasn't about foreign policy.

Fourth and fifth, there is no real dispute that these investigations were never part of an official U.S. policy, and they in fact went outside official channels. The Department of Justice

even publicly confirmed that they were never asked to talk to Ukraine about these investigations—never.

Six, multiple officials who knew what was going on repeatedly reported these concerns to supervisors and even the NSC legal advisors.

Seven, Ukraine expressed concerns multiple times that these were political investigations and Ukraine didn't want to get involved in domestic U.S. politics.

Eight, the White House tried to bury the call.

Nine, President Trump himself told us what he really wanted and cared about in his own words, in many public statements.

And finally, despite the President's counsel's attempts to justify his actions, the evidence makes clear that President Trump did not care about anticorruption efforts in Ukraine. This was only about one thing: his political investigations.

If you are following along on the slide, now, as I mentioned, the object of the President's scheme is clear: two investigations to help his political reelection.

The Constitution grants the President broad authority to conduct U.S. foreign policy. He is our Commander in Chief and chief diplomat. When the President of the United States calls a foreign leader, a President's first and only objective should be to get foreign leaders to do what is best for the U.S. national interest, consistent with the faithful execution of his oath of office and consistent with official U.S. policy.

But on July 25, when President Trump called the President of Ukraine, President Trump did the opposite. Instead of following official U.S. talking points, instead of listening to his staff on what was important to our national interests, President Trump asked Ukraine for something that benefited only himself: his political investigations. And not only did these investigations diverge from U.S. national interests, as you will hear, President Trump's actions harmed our national security. In putting himself above our country, he put our country at risk, and that is why his actions are so dangerous.

Now let's take a moment and look carefully at the two investigations that President Trump sought from Ukraine, which are at the heart of the President's scheme, and how he stood to benefit politically from Ukraine's announcement of each.

As you can see on the slide, the first investigation was, of course, of former Vice President Biden. Let's go straight to that July 25 telephone call again where President Trump stated clearly each of these investigations he wanted.

So let's start with Vice President Joe Biden and the removal of a corrupt prosecutor in Ukraine.

The first investigation related to former Vice President Joe Biden and the Ukrainian gas company Burisma Holdings, on whose board his son Hunter Biden used to sit.

President Trump himself summarized the theory behind his request in broad strokes in his July 25 call with President Zelensky. Here is what he said:

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

Now let's look carefully at the investigation President Trump was asking for and what it was based on. In short, President Trump asked for the investigation into Biden based on a made-up theory that no one agreed with—no one. We will go into this in more detail, but at a high level, the allegation is that late in 2015, Biden pressured Ukraine to remove the then-prosecutor general, Viktor Shokin, by threatening to withhold approximately $1 billion in loan guarantees if he was not removed.

According to this theory, Vice President Biden did this in order to help his son in a company called Burisma. Vice President Biden's son sat on the board of Burisma.

As the theory goes, Vice President Biden tried to remove Ukraine's prosecutor, all to make sure the prosecutor wouldn't investigate that specific company Burisma because, again, his son was on the board.

Then, Senators, if that doesn't sound farfetched and complicated to you, it should. So let's take this step-by-step and start from the beginning.

In 2014, Vice President Biden's son Hunter joined the board of the Ukrainian natural gas firm Burisma Holdings. At the time, Burisma's owner, a Ukrainian oligarch and former government minister, was under investigation.

In 2015, Viktor Shokin became Ukraine's prosecutor general, a job similar to Attorney General in the United States.

Although Shokin vowed to keep investigating Burisma amid an international push to root out corruption in Ukraine, he allowed the Burisma investigation to go dormant—allowed it to go dormant. That is when he was removed. He was not actively investigating Burisma. He had let it go dormant. Moreover, Shokin was widely perceived as ineffective and corrupt.

George Kent, the second most senior official at the U.S. Embassy in Kyiv at the time described Shokin as ''a typical Ukraine prosecutor who lived a lifestyle far in excess of his government salary, who never prosecuted anybody known for having committed a crime and covered up crimes that were known to have been committed.''

In late 2015, Vice President Biden, who had assumed a significant role in U.S. policy toward Ukraine, publicly called for the removal of Mr. Shokin because of his failure—his failure—to adequately combat corruption. But Vice President Biden wasn't alone. The European Union, our European allies, the International Monetary Fund, and three reformers inside Ukraine also wanted Mr. Shokin removed to reform the Ukrainian prosecutor general's office—to reform it.

Reforming the prosecutor general's office was also supported on a bipartisan basis by the Ukrainian Caucus here in the Senate. On February 12, 2016, after Vice President Biden had urged removal of Mr. Shokin but before the Ukrainian Parliament voted to remove him, a bipartisan group of Senators, including Senators PORTMAN, DURBIN, SHAHEEN, RON JOHNSON, MURPHY, KIRK, BLUMENTHAL, and SHERROD BROWN sent a letter to President Poroshenko that urged him to make urgent reforms to the prosecutor general's office. The month after the Senators sent that letter, Mr. Shokin was fired. He was fired.

So let's be very clear. Vice President Biden called for the removal of this prosecutor at the official direction of U.S. policy, because the prosecutor was widely perceived as corrupt, and with the support of all of our international allies. His actions were therefore supported by the executive branch, Congress, and the international community.

Common sense would tell us that this allegation against Joe Biden is false and that there was no legitimate basis for any investigation. But there are several other reasons you know that the only reason President Trump wanted Ukraine to announce the investigation into Biden was solely for his very own personal benefit.

If you look at the slide, we will summarize some points.

First, none of the 17 witnesses in the House's inquiry said there was any factual basis for this allegation—not 1 of the 17. To the contrary, they testified it was false.

Second, as I mentioned, the former prosecutor general Vice President Biden tried to remove was widely considered to be corrupt and failed to investigate corruption in Ukraine. Thus, removing him from office would only increase the chances that Burisma would be investigated for possible corruption.

Third, because the prosecutor was so corrupt, Vice President Biden calling for his removal was also at the direction of official U.S. policy and undertaken with the unanimous support of our allies.

Fourth, the successor to the fired Ukrainian prosecutor general admitted that Vice President Biden's son didn't do anything wrong in connection with Burisma. So the entire premise of the investigation that the President wanted Ukraine to pursue was simply false.

Finally, President Trump didn't care about any of this until 2019, when Vice President Biden became the frontrunner for the Democratic Presidential nomination and polls showed that he had the largest head-to-head lead against President Trump. That became a problem.

Let's start with the first and second points. Vice President Biden's conduct was uniformly validated by the witnesses in the House investigation, who confirmed his conduct was consistent with U.S. policy. Every single witness who was asked about the allegations against Biden said it was false. They testified that he acted properly. Every witness with knowledge of this issue testified that Vice President Biden was carrying out official U.S. policy in calling for Shokin's removal because Shokin was corrupt. These witnesses explained, too, that the United States was not alone in this view. All of our European allies also supported this action. There is simply no evidence—nothing, nada—in the record to support this baseless allegation.

I would like to go through some of that testimony now.

First, here are Dr. Hill and Mr. Holmes: Let's watch.

(Text of Videotape presentation:)

Mr. GOLDMAN. Dr. Hill, are you aware of any evidence to support the allegations against Vice President Biden?

Dr. HILL. I am not, no.

Mr. GOLDMAN. And, in fact, Mr. Holmes, the former prosecutor general of Ukraine who Vice President Biden encouraged to fire was actually corrupt; is that right?

Mr. HOLMES. Correct.

Mr. GOLDMAN. And was not pursuing corruption investigations and prosecutions; right?

Mr. HOLMES. My understanding is that the prosecutor general at the time, Shokin, was not at that time pursuing investigations of Burisma or the Bidens.

Mr. GOLDMAN. And, in fact, removing that prosecutor general was part of the United States' anticorruption policy; isn't that correct?

Mr. HOLMES. That's correct. And not just us but all of our allies and other institutions who were involved in Ukraine at the time.

Ms. Manager GARCIA of Texas. Ambassador Yovanovitch confirmed these points. Let's watch her testify.

(Text of Videotape presentation:)

Mr. GOLDMAN. And in fact, when Vice President Biden acted to remove the former corrupt prosecutor in Ukraine, did he do so as part of official United States policy?

Ambassador YOVANOVITCH. Official U.S. policy that was endorsed and was the policy of a number of other international stakeholders, other countries, other monetary institutions, and financial institutions.

Ms. Manager GARCIA of Texas. Similarly, when asked if there was any factual basis to support the allegations about Biden, George Kent replied, ''None whatsoever.''

Lieutenant Colonel Vindman and Ms. Williams also confirmed that they are not aware of any credible evidence to support the notion that Vice President Biden did anything wrong. Ambassador Volker testified that the Biden allegations were not credible and that Biden ''respects his duties of higher office.''

Now, as I mentioned, there was also a concrete reason that the U.S. Government wanted Shokin removed. As David Holmes, a senior official at the U.S. Embassy in Ukraine testified, by the time that Shokin was finally removed in 2016, there were strong concerns that Shokin was himself corrupt and not investigating potential corruption in the country. In fact, part of the concern was that Shokin was not investigating Burisma. Under Shokin, the investigation into the owner of Burisma for earlier conduct had stalled and was dormant. That was part of the reason why the United States and other countries wanted to remove Shokin.

Because of this, and as confirmed by witness testimony we will hear shortly, calling for Shokin's replacement would actually increase the chances that Burisma would be investigated. In other words, Shokin was corrupt and not investigating allegations that Burisma was corrupt, and so Vice President Biden calling for Shokin's removal and advocating for his replacement would actually increase chances of Burisma's investigation.

Ambassador Yovanovitch made this point during her testimony. Let's listen.

(Text of Videotape presentation:)

Mr. GOLDMAN. And, in fact, if he would help to remove a corrupt Ukrainian prosecutor general who was not prosecuting enough corruption, that would increase the chances that corrupt companies in Ukraine would be investigated; isn't that right?

Ambassador YOVANOVITCH. One would think so.

Mr. GOLDMAN. And that would include Burisma; right?

Ambassador YOVANOVITCH. Yes.

Ms. Manager GARCIA of Texas. President Trump and his allies have tried to justify President Trump's withholding of military aid and a White House meeting unless Ukraine announced the investigations he wanted by saying it is the same thing the Vice President did when he called for Ukraine to remove its corrupt prosecutor. It is not the same thing. As you just heard, Vice President Biden followed official U.S. policy. He went through official channels to remove the prosecutor that was corrupt, and he did it with the support of our allies. That is the exact opposite of what President Trump did. He pushed Ukraine for an investigation that has no basis, that no one agreed with, that was not at all U.S. policy, and that only benefited him.

George Kent addressed this very point during his testimony. Let's listen.

(Text of Videotape presentation:)

Mr. HIMES. And Mr. Kent and Mr. Taylor, the defenders of the President's behavior, have made a big deal out of the fact that Vice President Biden encouraged the Ukrainians to remove a corrupt former Ukrainian prosecutor in 2016, Mr. Shokin. And, in fact, Senator RAND PAUL on Sunday said, and I quote him, ''They're impeaching President Trump for exactly the same thing Joe Biden did.'' Is that correct? Is what the President did in his phone call and what Joe Biden did in terms of Mr. Shokin, are those exactly the same things? And if not, how are they different?

Mr. KENT. I do not think they are the same things. What former Vice President Biden requested of the former President of Ukraine, Poroshenko, was the removal of a corrupt prosecutor general, Viktor Shokin, who had undermined a program of assistance that we had spent, again, U.S. taxpayer money to try to build an independent investigator unit to go after corrupt prosecutors. And there was a case called Diamond Prosecutor case in which Shokin destroyed the entire ecosystem that we were trying to help create, the investigators, the judges who issued the warrants, the law enforcement that had warrants to do the wiretapping, everybody to protect his former driver who he had made a prosecutor. That's why Joe Biden was asking, remove the corrupt prosecutor.

Mr. HIMES. So Joe Biden was participating in an open effort to establish whole of government effort to address corruption in Ukraine?

Mr. KENT. That is correct.

Mr. HIMES. Great. So, Mr. Kent, as you look at this whole mess, Rudy Giuliani, President Trump, in your opinion, was this a comprehensive and whole government effort to end corruption in Ukraine?

Mr. KENT. Referring to the requests in July?

Mr. HIMES. Exactly.

Mr. KENT. I would not say so. No, sir.

Ms. Manager GARCIA of Texas. In short, the allegations against Vice President Biden are groundless. So there is no comparison—none at all—between what he did and President Trump's abuse of power.

Now let's turn to the third point.

Part of the allegation against former Vice President Biden is that he pushed for the corrupt Ukrainian prosecutor's removal in order to protect his son from the investigation. In fact, the President's claim about being concerned about corruption in Ukraine has recently emphasized this component of the theory: that the President wanted Ukraine to investigate Hunter Biden's work on the board of Burisma, not the former Vice President.

This, too, is false—simply false. You need look no further than the July 25 call record and the President's own statements to see that the President wanted the Ukrainians to investigate Vice President Biden.

Let's look again at what the President's call said.

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

The President was clearly asking President Zelensky to investigate Joe Biden. And what did the President say on the White House lawn on October 3, when he was asked about the Ukrainian scheme?

He said:

Well, I think if they were honest about it, you saw the film yesterday, they would start a major investigation into the Bidens. It is a very simple answer.

He said the Bidens, plural, not one Biden—the Bidens.

It is clear what the President wanted from Ukraine: an investigation to smear his political rival. But even if the President wanted an investigation

of Hunter Biden, there is no basis for that either.

Now, how do you know? Well, Ukraine's former prosecutor general admitted that the allegation against Vice President Biden's son was plainly false. You can see it on the slide in his own words—''plainly false.'' Then-Ukrainian Prosecutor General Yuriy Lutsenko recanted his earlier allegations and confirmed: ''Biden was definitely not involved in any wrongdoing involving Burisma.''

So even the Ukrainians believed that Biden's son did nothing wrong. The long and short of it is that there was no basis for the investigation that the President was pursuing and pushing—none. He was doing it only for his own political benefit.

Let's look at one more important reason why it is clear that President Trump simply wanted a political benefit from Ukraine's announcement of this investigation and didn't care about the underlying conduct. The allegations against Vice President Biden were based on events that occurred in late 2015 and early 2016. They were all well publicized at the time, but as soon as President Trump took office, he increased military support to Ukraine in 2017 and the next year, 2018.

It wasn't until 2019, over 3 years after Vice President Biden called for Shokin's removal—3 years after—that President Trump started pushing Ukraine to investigate that conduct.

So what changed? What changed? Why did President Trump not care at all about Biden's request on the removal of Shokin the year after it happened in 2017 or the next year in 2018?

Senators, you know what changed in 2019 when President Trump suddenly cared. It is that Biden got in the race. On April 25, Vice President Biden announced he would run for President in 2020. If President Trump was so concerned about this alleged corruption, why didn't he push Ukraine to investigate when he entered office in 2017 or in 2018 after Biden gave public remarks about how he pressured Ukraine to remove Shokin? Why did President Trump instead wait until former Vice President Biden was campaigning for the Democratic nomination?

Senators, it is obvious: because President Trump wanted to hurt Vice President Biden's candidacy and help himself politically. He pushed for the investigation in 2019 because that is when it would be valuable to him, President Trump. He pushed for it when it started to become clear that Vice President Biden could beat him, and he had good reason to be concerned.

Let's look at the slide about some polls. Throughout this scheme, polling had consistently shown the former Vice President handily beating President Trump by significant margins in head-to-head matchups. The chart on the screen shows FOX News polls emphasizing this point. The chart shows that from March to December, Vice President Biden had consistently led President Trump in national polls by significant margins. So beginning around March, Vice President Biden is beating the President in the polls, even on FOX News.

In April, Biden officially announces his candidacy, and that is when the President gets worried. In May, the President's personal lawyer tells the press that he is planning to travel to Ukraine to urge newly elected President Zelensky to conduct the two investigations—one into Vice President Biden. Do you know what else happened in May? A FOX News poll showed Biden beating Trump by 11 points. This clearly did not go unnoticed.

On May 9, the President's personal lawyer, Mr. Giuliani, said in an interview: ''I guarantee you, Joe Biden will not get to election day without this being investigated.'' And by July, right before President Trump's call with President Zelensky, where he asked for the investigation into Biden, the FOX News poll showed Biden beating Trump by 10 points. Then, on July 25, after years of not caring what the Vice President did, does President Trump ask for an investigation in his formidable political rival in the 2020 election.

Senators, looking at this timeline of events, it is not difficult to see why the investigation into the Bidens would be helpful to President Trump. The mere announcement of such an investigation would immediately tarnish the former Vice President's reputation by embroiling him and his son in a foreign criminal investigation—even if the charges were never pursued, just the mere announcement. And if a foreign country announced a formal investigation into those allegations, it would give allegations against the Bidens an air of credibility and could carry through the election.

The evidence is clear. Everyone knew—even Ukraine—that there was no merit to the allegation that Biden called for the removal of Shokin for any illegitimate reason. Biden asked for it because it was consistent—consistent with U.S. policy because Shokin was corrupt, and it was with the backing of our allies. Even President Trump knew there was no basis for this investigation. That is why, for years, after Shokin's removal, he continued to support Ukraine. He never once raised the issue.

It wasn't until Biden began beating him in the polls that he called for the investigation. The President asked Ukraine for this investigation for one reason and one reason only: because he knew it would be damaging to an opponent who was consistently beating him in the polls and therefore it could help him get reelected in 2020. President Trump had the motive, he had the opportunity, and the means to commit this abuse of power.

Now, let's turn to the second investigation that President Trump wanted. What he wanted was a widely debunked conspiracy theory that Ukraine—rather than Russia—interfered in the 2016 U.S. election to benefit President Trump's opponent. As we will explain, the allegation that Ukraine interfered in the 2016 elections, just like the allegation that Biden improperly removed the Ukraine prosecutor, has absolutely no basis in fact. In fact, this theory ignored the unanimous conclusions of the U.S. intelligence agency, the congressional Intelligence Committees, and Special Counsel Mueller, which found that Russia—Russia attacked our elections. It also went against the Senate Intelligence Committee report which found no evidence supporting that Ukraine attacked our elections, nor did any witness support the theory that Ukraine attacked our elections. Indeed, even President Trump's own advisers told him the claim was false.

In fact, the one person who told President Trump his theory is true—who was it? You know it was our adversary, Russia, which had everything to gain by deflecting the blame from their attack on Ukraine.

Let's look at what President Trump was actually suggesting Ukraine investigate. The theory is this: Instead of listening to our entire intelligence community that concluded that Russia interfered in our 2016 election to assist Donald Trump, the new theory says it was Ukraine that interfered in the election to help Hillary Clinton and hurt Donald Trump.

One aspect of this conspiracy theory was that the American cyber security firm, CrowdStrike, which had helped the DNC respond to Russia's cyber attack in 2016, moved a DNC server to Ukraine to prevent the FBI from examining it. Here is what President Trump said about this conspiracy theory during the July 25 call.

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

Once again, if this sounds farfetched and crazy, it should because it is. There is simply no factual basis to support this conspiracy theory. Let's walk through the concrete reasons why.

First, as I mentioned, our entire U.S. intelligence community, the Senate Select Committee on Intelligence, and Special Counsel Mueller all unanimously found that Russia—not Ukraine—interfered in the 2016 elections, and Russia did it to help Donald Trump and hurt Hillary Clinton. Here is an example of that.

This is the conclusion of the Director of National Intelligence's report entitled ''Assessing Russian Activities and Intentions in Recent U.S. Elections.'' I will quote part of it, and you can follow along in the slide.

We assess Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. Presidential election. Russia's goals were to undermine public faith in the US democratic process, denigrate Secretary Clinton, and harm her electability and potential Presidency. We further assess

Putin and the Russian Government developed a clear preference for President-elect Trump. We have high confidence in these judgments.

''Clear preference for President-elect Trump.'' And here is the conclusion of the Senate Select Committee on Intelligence:

The Committee found that the [Russian-based Internet Research Agency] sought to influence the 2016 U.S. presidential election by harming Hillary Clinton's chances of success and supporting Donald Trump at the direction of the Kremlin . . . The Committee found that the Russian government tasked and supported the IRA's interference in the 2016 U.S. election.

''Supporting Donald Trump at the direction of the Kremlin''—that is what it said. And here is the special counsel's conclusion Mueller reported in 2019:

As set forth in detail in this report, the Special Counsel's investigation established that Russia interfered in the 2016 presidential election principally through two operations. First, a Russia entity carried out a social media campaign that favored presidential candidate Donald J. Trump and disparaged presidential candidate Hillary Clinton. Second, a Russian intelligence service conducted computer-intrusion operations against entities, employees, and volunteers working on the Clinton Campaign and then released stolen documents.

On December 9, 2019, even President Trump's own FBI Director Christopher Wray stated unequivocally that there is no evidence to support the theory that Ukraine interfered in our election in 2016.

Here is a video of that interview. Let's watch.

(Text of Videotape presentation:)

REPORTER. Did the Government of Ukraine directly interfere in the 2016 election on the scale that the Russians did?

Director WRAY. We have no information that indicates that Ukraine interfered with the 2016 presidential election.

REPORTER. When you see politicians pushing this notion, are you concerned about that in terms of its impact on the American public?

Director WRAY. Well, look, there's all kinds of people saying all kinds of things out there. I think it's important for the American people to be thoughtful consumers of information and to think about the sources of it and to think about the support and predication for what they hear. And I think part of us being well protected against malign foreign influence is to build together an American public that's resilient, that has appropriate media literacy, and that takes its information with a grain of salt.

REPORTER. And Putin has been pushing this theory. And your message to him in terms of the American public?

Director WRAY. Stop trying to interfere with our elections.

REPORTER. And we recently heard from the President himself that he wanted the CrowdStrike portion of this whole conspiracy in the Ukraine investigated, and I'm hearing you say there's no evidence to support that as far as you know.

Director WRAY. As I said, we have no—We at the FBI have no information that would indicate that Ukraine tried to interfere in the 2016 presidential election.

Ms. Manager GARCIA of Texas. You heard him. He said ''no information that would indicate that Ukraine tried to interfere in the 2016 Presidential election.''

So to be really, really clear, there is no real dispute that Russia, not Ukraine, attacked our elections.

It is not just that there is no evidence to support his conspiracy theory; it is more dangerous than that. Where did this theory come from? You guessed it. The Russians—Russia. Russian President Vladimir Putin and Russian intelligence services perpetuated this false, debunked conspiracy theory.

Now remember, there is no dispute among the intelligence community that Russia attacked our 2016 elections. The Senate's own Intelligence Committee published a report telling us that as well. So it is no surprise that Russia wants to blame somebody else.

In fact, President Trump even said that President Putin is the one who told him it was Ukraine who interfered in our elections.

In short, this is a theory that the Russians are promoting to interfere, yet again, in our democratic process and deflect blame from their own attacks against us. But what is so dangerous is that President Trump is helping them perpetuate this. Our own President is helping our adversary attack our processes, all to help his own reelection.

Dr. Hill, an expert on these matters, explains it in more detail as to why this is very concerning. Let's watch.

(Text of Videotape presentation:)

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

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

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

Ms. Manager GARCIA of Texas. Their ''goal is to weaken our country, to diminish America's global role, and to neutralize a perceived U.S. threat to Russian interests.'' That is why it is so dangerous. Despite the lack of any evidence to support this debunked conspiracy theory, the unanimous conclusion of the intelligence community, Congress, Special Counsel Mueller, and the FBI to the contrary, President Trump continued to promote this fake conspiracy theory just because it would be beneficial and helpful to his own reelection campaign.

Even President Trump's own senior advisers told him these allegations were false. Tom Bossert, President Trump's former Homeland Security Advisor, stated publicly that the CrowdStrike theory had been debunked.

Here is that interview. Let's watch.

(Text of Videotape presentation:)

Mr. BOSSERT. It's not only a conspiracy theory, it is completely debunked. You know, I don't know want to be glib about this matter, but last year, retired former Senator Judd Gregg wrote a piece in The Hill magazine saying the three ways or the five ways to impeach oneself. And the third way was to hire Rudy Giuliani.

And at this point, I am deeply frustrated with what he and the legal team is doing in repeating that debunked theory to the president. It sticks in his mind when he hears it over and over again. And for clarity here, George, let me just again repeat that it has no validity. The United States government reached its conclusion on attributing to Russia the DNC hack in 2016 before it even communicated it to the FBI and long before the FBI ever knocked on the door at the DNC. So a server inside the DNC was not relevant to our determination to the attribution. It was made upfront and beforehand. And so while servers can be important in some of the investigations that followed, it has nothing to do with the U.S. government's attribution of Russia to the DNC hack.

Ms. Manager GARCIA of Texas. The theory ''has no validity.'' That is what he said.

Dr. Hill, too, testified that White House officials, including Mr. Bossert and former National Security Advisor H.R. McMaster spent a lot of time refuting the CrowdStrike conspiracy theory to President Trump. Let's hear it.

(Text of Videotape presentation:)

Daniel GOLDMAN. Now, Dr. Hill, is this a reference to this debunked conspiracy theory about Ukraine interference in the 2016 election that you discussed in your opening statement as well as with Chairman SCHIFF?

Fiona HILL. The reference to CrowdStrike and the server, yes, that's correct.

Daniel GOLDMAN. And it is your understanding that there is no basis for these allegations, is that correct?

Fiona HILL. That's correct.

Daniel GOLDMAN. Now, isn't it also true that some of President Trump's most senior advisors had informed him that this theory of Ukraine interference in the 2016 election was false?

Fiona HILL. That's correct.

Ms. Manager GARCIA of Texas. When she was asked if it is false, she said: ''That's correct.''

If Vladimir Putin's goals, as Dr. Hill testified, were to deflect from Russia's systematic interference in our election and to drive a wedge between the United States and Ukraine, he has succeeded beyond his wildest dreams. The alternative narrative of Ukrainian interference in the 2016 election has now been picked up by the President's defenders and the conservative media. It has muddied the waters regarding Russia's own interference in our elections—efforts that remain ongoing, as we have learned this week from reporting that Russia hacked Burisma.

If there were any doubt about how President Putin feels about the President's conduct, you need only look to Putin's own words. His statement on November 20 tells it all. He said:

Thank God nobody is accusing us anymore of interfering in U.S. elections. Now they're accusing Ukraine.

That is a short quotation from Putin, but it speaks volumes. Even though President Trump knew there was no factual basis for the theory that it was Ukraine that interfered in the 2016 election rather than Russia and knew that Russia was perpetuating this theory, he still wanted President Zelensky to pursue the investigation. Why? Because, while Putin and Russia clearly stood to gain by promoting this conspiracy theory about Ukraine, so did Donald Trump. He knew it would be politically helpful to his 2020 election.

An announcement of an investigation by Ukraine would have breathed new life into a debunked conspiracy theory that Ukrainian election interference was there in 2016, and it lent it great credibility. It would have cast doubt on the conclusions of the Intelligence Committee and Special Counsel Mueller that Russia interfered in the 2016 election to help President Trump. And it would have helped eliminate a perceived threat to the legitimacy of Donald Trump's Presidency, that he was only elected because of the help he received from President Putin.

I now yield to Mr. SCHIFF.

Mr. MCCONNELL. Mr. Chief Justice.

The CHIEF JUSTICE. The majority leader is recognized.

RECESS SUBJECT TO CALL OF THE CHAIR

Mr. MCCONNELL. Mr. Chief Justice, I am going to recommend that we take a 15-minute break at this point.

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

There being no objection, at 2:57 p.m. the Senate, sitting as a Court of Impeachment, recessed until 3:25 p.m.; whereupon the Senate reassembled when called to order by the CHIEF JUSTICE.

The CHIEF JUSTICE. Mr. Manager SCHIFF.

Mr. Manager SCHIFF. Senators, I am going to pick up where my colleague from Texas left off, but I want to begin by underscoring a few of the points that she made, in listening to her presentation, that really leapt out at me in a way they hadn't leapt out at me before.

First, I want to address—my colleague shared a number of slides showing the polling strength of Joe Biden vis-a-vis the President as a demonstration of his motive, the fact that he went over these political investigations to undermine someone he was deeply concerned about.

This is an appropriate point for me to make the disclaimer that the House managers take no position in the Democratic primary for President. I don't want to lose a single more vote than necessary. But those polls do show the powerful motive that Donald Trump had—a motive that he didn't have the year before or the year before that; a motive that he didn't have when he allowed the aid to go to Ukraine without complaint or issue in 2017 or 2018. It was only when he had a growing concern with Joe Biden's candidacy that he took a sudden interest in Ukraine and Ukraine funding and the withholding of that aid.

I also want to underscore what the President said in that July 25 call. My colleague showed you that transcript from July 25 where the President says: ''I would like you to find out what happened with this whole situation with Ukraine, they say CrowdStrike.'' My colleagues have explained what that theory is about that server, that CrowdStrike server—the crazy theory that it was Ukraine that hacked the Democratic server and that server was whisked away to Ukraine and hidden there so that the investigators and the FBI couldn't look at this server. That is what Donald Trump was raising in that conversation with President Zelensky.

I bring up this point again because you may hear from my colleagues, the President's lawyers, as we heard during the testimony in the House, that the concern was over Ukrainian interference in the election, and why isn't it possible that both Russia and Ukraine interfered in the election? Never mind that is contrary to all the evidence. But it is important to point out here that we are not talking about generic interference. We are not talking about, as we heard from some of my colleagues in the House, a tweet from a Ukrainian here or an op-ed written by somebody there and equating it with the kind of systematic interference of the Russians. What we are talking about here—what the President is talking about here is a very specific conspiracy theory going to the server itself, meaning that it was Ukraine that hacked the Democratic server, not the Russians. This theory was brought to you by the Kremlin, OK? So we are not talking about generic interference. We are talking about the server. We are talking about CrowdStrike. At least, that is what Donald Trump wanted to investigate or announced—this completely bogus, Kremlin-pushed conspiracy theory.

I was also struck by that video you saw of Tom Bossert, the former homeland security adviser for the President, in which he talked about how completely debunked and crazy this conspiracy theory is. And then there was that rather glib line that he admitted was glib, but nonetheless made a point, about the three or five ways to impeach oneself, and the third way was to hire Rudy Giuliani.

Now, it struck me in watching that clip, again, that it is important to emphasize that Rudy Giuliani is not some Svengali here who has the President under his control. There may be an effort to say: OK, the human hand grenade, Rudy Giuliani, it is all his fault. He has the President in his grip.

And even though the U.S. intelligence agencies and the bipartisan Senate Intelligence Committee and everyone else told the President time after time that this is nonsense, that the Russians interfered, not the Ukrainians, he just couldn't shake himself of what he was hearing from Rudy Giuliani. You can say a lot of things about President Trump, but he is not led by the nose by Rudy Giuliani. And if he is willing to listen to his personal lawyer over his own intelligence agencies, his own advisers, then you can imagine what a danger that presents to this country.

My colleague also played for you that interview with Director Wray. And, again, I was just struck anew by that interview. In that interview, Director Wray says: ''We have no information that indicates that Ukraine interfered with the 2016 presidential election.'' That is Donald Trump's Director of the FBI: ''We have no information that indicates that Ukraine interfered with the 2016 election''—none, as in zero.

The reporter then says: When you see politicians pushing this notion, are you concerned about that in terms of the impact on the American public?

And the Director says: ''Well, look, there's all kinds of people saying all kinds of things out there.''

Well, yes, there are, but this person is the President of the United States. When he says ''there are all kinds of people out there saying all kinds of things,'' well, what he is really saying is the President of the United States. It is one thing if someone off the streets says it, but when it is coming from the President of the United States, you can see what a danger it is if it is patently false and it is promulgated by the Russians.

And, again, the reporter says: We heard from the President, himself, he wanted the CrowdStrike portion of this whole conspiracy investigated, and I am hearing you say there is no evidence to support this.

And Wray says: ''As I said, we at the FBI have no information that would indicate that Ukraine tried to interfere in the 2016 presidential election''—none.

And so you can imagine the view from the Kremlin of all of this. You can imagine Putin in the Kremlin with his aides, and one of his aides comes into the office and says: Vladimir, you are never going to believe this. The President of the United States is pushing our CrowdStrike theory.

I mean, you can almost imagine the incredulity of Vladimir Putin: You are kidding; right? You mean he really believes this? His own people don't believe this. Nobody believes this.

It would be bad enough, of course, that the President of the United States believes this Russian propaganda against the advice of all of his advisers—common sense—and everything

else, but it is worse than that. It is worse than that. On the basis of this Russian propaganda, he withheld $400 million in military aid to a nation Russia was fighting, our ally. I mean, when we ask about what is the national security implication of what the President did, how much more clear can it be that he is not only pushing Russian propaganda, he is not only misleading Americans about who interfered in the last election, that he is not only doing the Kremlin a favor, but that he is withholding aid from a nation at war. The Russians not only got him to deflect blame from their interference in our democracy, but they got him to withhold military aid.

Now, of course, there was this convergence of interest between the Kremlin and the President. The President wasn't pushing Kremlin talking points just to do Vladimir Putin a favor. He was doing it because it helped him, because it helped him and because it could get these talking points for him in his reelection campaign. And for that, he would sacrifice our ally and our own security.

But nothing struck me more from Representative GARCIA's presentation than that quote from Vladimir Putin from November of this past year, just a couple of months ago. Putin said:

Thank God nobody is accusing us anymore of interfering in U.S. elections. Now they're accusing Ukraine.

''Thank God,'' Putin says. Well, you have to give Donald Trump credit for this. He has made a religious man out of Vladimir Putin, but I don't think we really want Vladimir Putin, our adversary, to be thanking God for the President of the United States, because they don't wish us well. They don't wish us well. They are a wounded animal. They are a declining power. But like any wounded animal, they are a dangerous animal. Their world view is completely antithetical to ours. We do not want them thanking God for our President and what he is pushing out. We don't want them thanking God for withholding money from our ally, although we can understand why they may. To me, that is what stuck out from that presentation.

Now, in the first part of this presentation, we walked through the corrupt object of President Trump's scheme—getting Ukraine to announce these two political investigations that would help benefit his reelection campaign. And just looking at how baseless and fabricated the allegations behind him were made plain his corrupt motive.

But in addition to this overwhelming evidence, there are at least 10 other reasons we know that President Trump directed his scheme with corrupt intent. There are at least 10 other reasons we know that President Trump was interested in his own personal gain and not the national interest in pressing for these investigations.

First, the President only wanted these investigations to be announced publicly, not even conducted.

Second, the President's only interest in Ukraine was the ''Big Stuff'' that mattered to himself, not issues affecting Ukraine or the United States.

Third, the President tasked his personal lawyer, Rudy Giuliani, to pursue these investigations on his behalf, not government officials.

Fourth, both before and after the July 25 call, the investigations were never part of U.S. official foreign policy. NSC officials, too, make clear that this was not about foreign policy. Other witnesses confirmed the investigations, in fact, diverged from U.S. official policy.

Fifth, the investigations were undertaken outside of normal channels.

Sixth, Ukrainian officials understood that the investigations were purely political in nature.

Seventh, multiple administration officials reported the President's July 25 call.

Eighth, the White House buried the call.

Ninth, President Trump confirmed he wanted Ukraine to conduct investigations in his own words.

And, finally, President Trump did not care about anti-corruption efforts in Ukraine.

Let's go through these one by one.

First, perhaps the simplest way that we all know that President Trump wanted these investigations done solely to help his personal political interests and not the national interest is that he merely wanted a public announcement of the investigations, not an assurance that they would actually be done. If his desire for these investigations was truly to assist Ukraine's anti-corruption efforts or because he was worried about the larger issues of corruption in Ukraine, someone actually investigating the facts underlying the investigations would have been most important. But he didn't care about the facts or the issues. He just wanted the political benefit of the public announcement of an investigation that he could use to damage his political opponent and boost his own political standing.

Ambassador Gordon Sondland, who was at the center of this scheme, made this quite clear in his testimony.

(Text of Videotape presentation:)

GOLDMAN. Now, for Mr. Giuliani, by this point, you understood that in order to get that White House meeting that you wanted President Zelensky to have and that President Zelensky desperately wanted to have that Ukraine would have to initiate these two investigations. Is that right?

Ambassador SONDLAND. Well, they would have to announce that they were going to do it.

GOLDMAN. Right. Because Giuliani and President Trump didn't actually care if they did them, right?

Ambassador SONDLAND. I never heard, Mr. Goldman, anyone say that the investigations had to start or had to be completed. The only thing I heard from Mr. Giuliani, or otherwise, was that they had to be announced in some form and that form kept changing.

GOLDMAN. Announced publicly?

Ambassador SONDLAND. Announced publically.

Mr. Manager SCHIFF. The other evidence gathered by the House's investigation confirms Ambassador Sondland's understanding. For example, recently, the House received documents from Lev Parnas, an associate of Rudy Giuliani's, now indicted, in response to a subpoena. As you know, Lev Parnas was indicted by the Southern District of New York for crimes, including election law violations. As part of the documents that Parnas turned over, we obtained handwritten notes that Parnas apparently took some time in 2019. One of those notes lays out the scheme very clearly and succinctly.

Now, it is not every day that you get a document like this—what appears to be a member of the conspiracy writing down the object of the conspiracy, but that is exactly what we see here. We see the scheme that ultimately was directed by President Trump to coerce Ukraine to announce the investigation of the Bidens. I repeat: to announce the investigation—not investigate, not conduct. The only thing that mattered was the public announcement, as this note says with an asterisk: ''Get Zelensky to Announce that the Biden case will Be Investigated.''

And in early September, after Mr. Giuliani and Ambassadors Volker and Sondland had tried but failed to get President Zelensky to issue a public statement, President Trump made this clear himself. He explained to Ambassador Bolton that he wanted Zelensky in a ''public box''; that is, President Trump would only be satisfied if President Zelensky made a public announcement of the investigations, which he subsequently agreed to do on CNN.

Here is Ambassador Taylor's testimony on this:

(Text of Videotape presentation:)

Mr. GOLDMAN. And so, even though President Trump was saying repeatedly that there is no quid pro quo, Ambassador Sondland relayed to you that the facts of the matter were that the White House meeting and the security assistance were conditioned on the announcement of these investigations. Is that your understanding?

Ambassador TAYLOR. That's my understanding.

Mr. GOLDMAN. Now, you referenced a television interview and a desire for President Trump to put Zelensky in a public box, which you also have in quotes. Was that in your notes?

Ambassador TAYLOR. It was in my notes.

Mr. GOLDMAN. And what did you understand that to mean, to put Zelensky in a public box?

Ambassador TAYLOR. I understood that to mean that President Trump, through Ambassador Sondland, was asking for President Zelensky to very publicly commit to these investigations, that it was not sufficient to do this in private, that this needed to be a very public statement.

The fact that the President only wanted a public announcement and not the investigations to actually be conducted demonstrates that his desire for investigations was simply and solely to boost his reelection efforts.

No. 2, turning to the second reason, President Trump's agents who helped to carry out this scheme confirmed that his desire for Ukraine to announce the investigations was solely for his personal political benefit.

As we will explain in more detail in a few minutes, President Trump never expressed any interest in U.S. anti-corruption policy toward Ukraine, nor did he care about Ukraine's war against Russia. He only expressed interest in one thing: investigating his political opponent. This was unequivocally confirmed by the testimony of David Holmes, the senior official at the U.S. Embassy in Kyiv. The day after the July 25 call, Holmes overheard a conversation between President Trump and Ambassador Sondland, who was in Kyiv. The only topic they discussed related to Ukraine was as to the investigations.

Here is his testimony:

(Text of Videotape presentation:)

Mr. HOLMES. Ambassador Sondland placed a call on his mobile phone, and I heard him announce himself several times along the lines of ''Gordon Sondland, holding for the President.'' It appeared that he was being transferred through several layers of switchboards and assistants, and I then noticed Ambassador Sondland's demeanor changed and understood he had been connected to President Trump. While Ambassador Sondland's phone was not on speakerphone, I could hear the President's voice through the ear piece of the phone.

The President's voice was loud and recognizable, and Ambassador Sondland held the phone away from his ear for a period of time, presumably because of the loud volume. I heard Ambassador Sondland greet the President and explained he was calling from Kyiv. I heard President Trump then clarify that Ambassador Sondland was in Ukraine. Ambassador Sondland replied, yes, he was in Ukraine, and went on to state that President Zelensky ''loves your ass.'' I then heard President Trump ask, ''So he's going to do the investigation?''

Ambassador Sondland replied that ''he's going to do it,'' adding that President Zelensky will do ''anything you ask him to do.''

Mr. Manager SCHIFF. After the call, Ambassador Sondland confirmed to Holmes that the investigations were the President's sole interest with Ukraine because—and this is very important—they benefit the President.

(Text of Videotape presentation:)

Mr. HOLMES. After the call ended, Ambassador Sondland remarked that the President was in a bad mood, as Ambassador Sondland stated was often the case early in the morning. I then took the opportunity to ask Ambassador Sondland for his candid impression of the President's views on Ukraine. In particular, I asked Ambassador Sondland if it was true that the President did not give a [expletive] about Ukraine. Ambassador Sondland agreed that the President did not give a [expletive] about Ukraine.

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

Mr. Manager SCHIFF. This understanding by Ambassador Sondland is independently confirmed by President Trump's own interactions with Ukraine.

During his two telephone calls with President Zelensky—first on April 21 and then on July 25—President Trump did not refer to any anti-corruption efforts or the war against Russia. He never even uttered the word ''corruption.'' Instead, he only spoke about investigating his political opponents.

He later confirmed this narrow and singular focus to the press. On October 3, when asked about the Ukraine scheme, he said: ''Well, I would think if they were honest about it, they would start a major investigation into the Bidens. It's a very simple answer.''

Here is that conference:

(Text of Videotape presentation:)

REPORTER. What exactly did you hope Zelensky would do about the Bidens after your phone call?

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

Mr. Manager SCHIFF. So we know from witnesses, the President's personal agents, and, most importantly, the President himself that the only thing President Trump cared about with Ukraine was his investigations in order to benefit himself.

To see this even more starkly, it is helpful to remember what Presidential head-of-state calls are normally used for.

Talk to any former occupant of the Oval Office, and he will tell you that the disparity in power between the President of the United States and other heads of state is vast. Since World War II—and consistent with the requirement to ''faithfully execute'' their oaths of office—U.S. Presidents from both political parties have made good use of this disparity in power in their telephone calls with foreign leaders. They have used those calls to secure commitments that have bolstered American security and prosperity.

Acting as our chief diplomat, President Reagan used his calls to our European allies, like Prime Minister Margaret Thatcher, to rally the world against the Soviet threat—the shining city on the hill standing up to the evil empire. His calls laid the foundation for landmark nonproliferation agreements that averted nuclear Armageddon.

It was during a phone call on Christmas Day in 1991 that President George H. W. Bush learned that Mikhail Gorbachev intended to resign as Soviet Premier, marking the end of the Soviet Union. Historians credit his deft diplomacy, including numerous one-on-one phone calls, for bringing about a peaceful end to the Cold War.

Following September 11, President George W. Bush used his calls with heads of state to rally global support for the U.S. campaign to defeat al-Qaida and to work with our allies to protect and defend U.S. national security and combat terrorism.

President Obama used his calls with foreign leaders to contain the fallout from the global economic crisis, assemble an international coalition to fight the Islamic State, and, of course, to rally support for Ukraine following Russia's invasion of Crimea.

No matter what you think of the policy views or priorities of these prior Presidents, there is no question that they are examples of the normal diplomacy that happens during Presidential telephone calls, and there is no doubt, when you are the President of the United States and you call a foreign leader, that you are on the clock for the American people. Consistent with the faithful execution of his or her oath of office, a President's first and only objective is to get foreign leaders to do what is in the best interest of the United States.

That is not what happened on July 25. On that date, President Trump used a head-of-state call with the leader of Ukraine to help himself—to press a foreign leader to investigate the President's political opponent in order to help his reelection campaign. President Trump abused his authority as Commander in Chief and Chief Diplomat to benefit himself, and he betrayed the interests of the American people when he did so.

Let's go to the third reason that we know the President put his interests first.

The third reason you know that the investigations were politically motivated is the central role played by President Trump's personal attorney, Mr. Giuliani, who has never had an official role in this government but, instead, was at all times representing the President in his personal capacity. There is no dispute about this.

For example, Mr. Giuliani made this point clearly in his May 10 letter to the President of Ukraine himself, where he wrote:

Dear President-Elect Zelensky, I am private counsel to President Donald J. Trump. Just to be precise, I represent him as a private citizen, not as President of the United States. This is quite common under American law because the duties and privileges of a President and a private citizen are not the same. Separate representation is the usual process.

Mr. Giuliani also repeated this publicly. For example, he confirmed this point on May 9, in the New York Times, when he said—well, many things—''We're not meddling in an election, we're meddling in an investigation, which we have a right to do.''

''There is nothing illegal about it,'' he said. ''Somebody could say it's improper. And this isn't foreign policy.''

He went on to say, referring to the President: ''He basically knows what I'm doing, sure, as his lawyer.''

''My only client is the president of the United States,'' he said. ''He's the one I have an obligation to report to, tell him what happened.''

Think about that. The President is using his personal lawyer to ask

Ukraine for investigations that aren't ''foreign policy'' but that will be very, very helpful to the President personally. It is not often you get it so graphically as we do here.

Let's go to the fourth reason that these investigations were never part of U.S. policy.

It was not just that President Trump used his personal lawyer; it was also that what he was asking for was never a part of U.S. policy. Witnesses told us that President Trump's investigations were not in his official, prepared talking points or briefing materials. To the contrary, they went against official policy and diverged from our national security interests.

All three witnesses—Tim Morrison at the National Security Council, LTC Alex Vindman at the National Security Council, and Jennifer Williams, who listened to the July 25 call—testified that when President Trump demanded that President Zelensky investigate the Bidens, he had completely departed from the talking points they had prepared for him.

Now, before I get to the video clip, I just want to underscore this: He is not obligated to use his talking points, and he is not obligated to follow the recommendations of his staff no matter how sound they may be. What this makes clear is that it was not U.S. policy that he was conducting; it was his private, personal interests that he was conducting. If it were U.S. policy, it probably would have been in the talking points and briefing materials, but, of course, it was not.

Let's look at Mr. Morrison's testimony on this point.

(Text of Videotape presentation:)

GOLDMAN. Now, Mr. Morrison, were—these references to CrowdStrike, the server and 2016 election, and to Vice President Biden and son, were they included in the President's talking points?

Mr. MORRISON. They were not.

Mr. Manager SCHIFF. Here is Lieutenant Colonel Vindman on this point:

(Text of Videotape presentation:)

Ms. SPEIER. Colonel Vindman, you are the National Security Council's director for Ukraine. Did you participate in preparing the talking points for the President's call?

VINDMAN. I did. I prepared them.

Ms. SPEIER. So you prepared them. They were then reviewed and edited by multiple senior officers at the NSC and the White House. Is that correct?

VINDMAN. That is correct.

Ms. SPEIER. Did the talking points for the president contain any discussion of investigations into the 2016 election, the Bidens or Burisma?

VINDMAN. They did not.

Ms. SPEIER. Are you aware of any written product from the National Security Council suggesting that investigations into the 2016 election, the Bidens, or Burisma are part of the official policy of the United States?

VINDMAN. No, I'm not.

Mr. Manager SCHIFF. Dr. Hill also elaborated on this point.

(Text of Videotape presentation:)

Dr. HILL. My point, Mr. NUNES, is that we at the National Security Council were not told either by the President directly or through Ambassador Bolton that we were to be focused on these issues as a matter of U.S. foreign policy towards Ukraine. So when we are talking about Ukraine in 2016, I never personally heard the President say anything specific about 2016 and Ukraine. I've seen him say plenty of things publicly, but I was not given a directive. In fact, I was given a directive by Ambassador Bolton on July 10 very clearly to stay out of domestic politics.

Mr. Manager SCHIFF. So, to be clear, when President Trump asked for these investigations, he was not asking for them based on an official U.S. policy. His top official advisers had not even been told about these investigations. To the contrary, they were told to stay out of U.S. politics.

And it gets worse. It was not just that President Trump ignored official U.S. policy and the talking points he was given; it was that what he was doing—withholding support from Ukraine—was actually contrary to and harmful to U.S. policy.

There is clear and undisputed bipartisan support for Ukraine. Ukraine is our ally. What is more, they are at war with our adversary, Russia. So our goal should be to help President Zelensky's anti-corruption reforms and to help Ukraine fight its adversary, Russia, in any way that we can.

President Trump's own national defense strategy stated that the United States and its European allies ''will deter Russian adventurism''—a clear reference to Russia's usurpation of Ukrainian territory and sovereignty. Consistent with that strategy, we currently have approximately 68,000 troops stationed in Europe. Roughly 10,000 of those U.S. troops are deployed on NATO's eastern border with Russia, to countries like Poland, Hungary, Lithuania, and Bulgaria. These American forces are literally holding the line against another land grab by Vladimir Putin.

The author of that strategy, former U.S. National Security Advisor LTG H.R. McMaster, issued this stark warning about Russia's aggression:

[F]or too long, some nations have looked the other way in the face of these threats. Russia brazenly and implausibly denies its actions and we have failed to impose sufficient costs. The Kremlin's confidence is growing as its agents conduct their sustained campaigns to undermine our confidence in ourselves and in one another.

What General McMaster says obviously makes sense. Russia's confidence, sadly, is growing. We need to stand up to them, and that is why we support Ukraine, to help defeat Russian aggression.

So, on July 25, when President Zelensky spoke with President Trump, that is what he, McMaster, was hoping to discuss—or he would be hoping that he would discuss how we can support Ukraine in its fight against a huge adversary.

Our confidence in one another; that is what President Zelensky was most worried about when he got on the line with the President on July 25, whether Ukraine could have confidence in U.S. support.

Nearly 70 percent of Ukraine's territory—I am sorry. Nearly 7 percent of Ukraine's territory had been annexed by Russian-backed forces. More than 15,000 troops have been lost in the hot war over the past 5 years.

But when President Zelensky raised the issue of U.S. military aid needed to confront Russian aggression, President Trump did nothing to reassure the Ukrainian leader of our steadfast support for Ukraine's sovereignty. Instead, he made personal demands.

It is for these reasons that President Trump's investigations went against official U.S. policy. Witnesses confirmed that President Trump's requests actually diverged not just from our policy but from our own national security.

As Dr. Hill testified, Ambassador Sondland, in carrying out President Trump's scheme, ''was being involved in a domestic political errand, and we were being involved in national security policy, and those two things had just diverged.''

And as Ambassador Taylor elaborated, ''[O]ur holding up of security assistance that would go to a country that is fighting aggression from Russia, for no good policy reason, no good substantive reason, no good national security reason, is wrong.''

As these officials so correctly observed, there is no question that President Trump's political errand and our national security diverged; that he did this to advance his reelection, not to advance U.S. national security goals, and that he did it for no good reason but the political one.

But it is more than that. It is more than our national security policy. We, as a country, are meant to embody the solution to corruption. Our country is based on promoting the rule of law. And here, what the President did attacks another of the U.S. strengths, that of our ideals and our values.

Part of that is ensuring the integrity of our democracy and our political institutions. It is a fundamental American value underlying our democracy that we do not use official powers to ask for investigations of our political opponents to gain a political advantage.

When President Trump asked a foreign leader to investigate his political opponent, he abused the broad authority provided to the President of the United States.

Witness testimony again confirms this. Vice President PENCE's adviser, Jennifer Williams, was concerned by the President's focus on domestic political issues rather than U.S. national security because the President is not supposed to use foreign governments for political errands.

She characterized the call as ''a domestic political matter.'' Here is her testimony:

(Text of Videotape presentation:)

Jennifer WILLIAMS. During my closed-door deposition, members of the committee asked about my personal views, and whether

I had any concerns about the July 25th call. As I testified then, I found the July 25th phone call unusual because, in contrast to other Presidential calls I had observed, it involved discussion of what appeared to be a domestic political matter.

Mr. Manager SCHIFF. Lieutenant Colonel Vindman also thought the call was improper and unrelated to the talking points he had drafted for the President.

(Text of Videotape presentation:)

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

Mr. Manager SCHIFF. Lieutenant Colonel Vindman, as a reminder, is a Purple Heart veteran and says what we all know clearly: It is improper for the President of the United States to demand a foreign government to investigate a U.S. citizen and a political opponent.

And it wasn't just that Colonel Vindman thought it was wrong; he was so concerned that he warned Ukraine, too, not to get involved in our domestic politics.

In May, Lieutenant Colonel Vindman grew concerned by the pressure campaign he witnessed in the media, waged primarily by Rudy Giuliani. During a meeting with President Zelensky on May 20, Lieutenant Colonel Vindman warned the Ukrainian leader to stay out of U.S. politics—because that is our official U.S. policy.

(Text of Videotape presentation:)

Lieutenant Colonel VINDMAN. During a bilateral meeting in which the whole delegation was meeting with President Zelensky and his team, I offered two pieces of advice: To be particularly cautious with regards to Ukraine—to be particularly cautious with regards to Russia, and its desire to provoke Ukraine; and the second one was to stay out of U.S. domestic policy.

The CHAIRMAN. Do you mean politics?

Lieutenant Colonel VINDMAN. Politics, correct.

The CHAIRMAN. And why did you feel it was necessary to advise President Zelensky to stay away from U.S. domestic politics?

Lieutenant Colonel VINDMAN. Chairman, in the March and April timeframe, it became clear that there were—there were actors in the U.S., public actors, nongovernmental actors that were promoting the idea of investigations and 2016 Ukrainian interference.

And it was consistent with U.S. policy to advise any country, all the countries in my portfolio, any country in the world, to not participate in U.S. domestic politics. So I was passing the same advice consistent with U.S. policy.

Mr. Manager SCHIFF. He once again makes this clear: ''[I]t was consistent with U.S. policy to advise any country, all the countries in my portfolio, any country in the world'' we do not participate in U.S. domestic politics.

Deputy Assistant Secretary of State George Kent, too, testified that the President's political investigations, of course, had nothing to do with American anticorruption efforts in Ukraine, which has consistently focused on building institutions and never specific investigations, and that if we do ask countries to do our political errands, it entirely threatens our credibility as a democracy.

(Text of Videotape presentation:)

HECK. You also testified on October 15th, in the deposition, about fundamental reforms necessary for Ukraine to fight corruption and to transform the country. And you cited the importance of reforming certain institutions, notably the security service in the Prosecutor General's Office. Was investigating President Trump's political opponents a part of those necessary reforms? Was it on that list of yours, sir? Or, indeed, was it on any list?

KENT. No, they weren't.

HECK. In fact, historically, is it not true that a major problem in the Ukraine has been its misuse of prosecutors precisely to conduct investigation of political opponents? That's a legacy, I dare suggest, from the Soviet era, when, as you stated in your testimony, prosecutors like the KGB were and I quote you now ''instruments of oppression.'' Is that correct?

KENT. I said that, and I believe it's true.

HECK. So, finally, Mr. Kent, for as long as I can remember, U.S. foreign policy has been predicated on advancing principled interests in democratic values—notably, freedom of speech, press, assembly, religion; free, fair, and open elections; and the rule of law. Mr. Kent, when American leaders ask foreign governments to investigate their potential rivals, doesn't that make it harder for us to advocate on behalf of those democratic values?

KENT. I believe it makes it more difficult for our diplomatic representatives overseas to carry out those policy goals, yes.

HECK. How is that, sir?

KENT. Well, there's an issue of credibility. They hear diplomats on the ground saying one thing, and they hear other U.S. leaders saying something else.

Mr. Manager SCHIFF. The bottom line is this: What was in the best interest of our country was to help Ukraine, to give them the military aid, to fight one of our greatest adversaries, and to help promote the rule of law. And what was in President Trump's personal interest was the opposite: to pressure Ukraine to conduct investigations against his 2020 rival to help ensure his reelection. And when what is best for the country and what was best for Donald Trump diverged, President Trump put himself above the best interests of our country.

Let's now go to the fifth reason that we know the President put himself first.

A fifth reason is that the request for these investigations departed not just from U.S. policy but from established U.S. Government channels.

On the July 25 call, President Trump told President Zelensky that he should speak to Mr. Giuliani and Attorney General Barr, but after the July 25 transcript was released, the Department of Justice disclaimed any knowledge or involvement in the President's political investigations.

The Department of Justice statement from the day the July 25 call was released says this. This was from September 25.

(Text of Videotape presentation.)

The President has not spoken with the Attorney General about having Ukraine investigate anything relating to former Vice President Biden or his son. The President has not asked the Attorney General to contact Ukraine—on this or any other matter. The Attorney General has not communicated with Ukraine—on this or any other subject. Nor has the Attorney General discussed this matter, or anything relating to Ukraine, with Rudy Giuliani.

Now, this is pretty extraordinary. You can say a lot of things about the Attorney General, but you cannot say that he ever has looked to pursue something he thought was not in the President's interest.

This is pretty extraordinary, where he is saying the moment this transcript is publicly released: I have got nothing to do with this scheme. I don't know why they brought me up in this call. I don't know why the President brought me up in this call. He hasn't asked me to do anything about this. I want nothing to do with this business.

I suspect the Attorney General can recognize a drug deal when he sees it, too, and he wanted nothing to do with this.

Now, if this were some legitimate investigation, you would think the Department of Justice would have a role. That is traditionally how an investigation with an international component would work, but this wasn't the case. This wasn't the case. And the Attorney General wanted nothing to do with it.

If these were legitimate investigations that were in the national interest, why was Bill Barr's Justice Department so quick to divorce themselves from it?

The simple answer is that, as we see so clearly, they were against U.S. official policy and our national security. The Justice Department wanted nothing to do with it, and by asking for these investigations, the President was abusing his power.

Let's go to the sixth reason you know President Trump put himself first. It wasn't just that these witnesses told us—what these witnesses told us in the impeachment hearings about this being wrong. They reported the President's conduct in realtime. So it is not just that they came forward later; they came forward in realtime to report the President's conduct.

Of course, you have seen over the last couple days how many times people are told: Go talk to the lawyers.

Well, Tim Morrison, former Republican staffer, and Colonel Vindman were sufficiently concerned by what they heard President Trump solicit on that July 25 call that they both immediately went to speak to the lawyer, John Eisenberg, the NSC Legal Advisor. Let's take a look.

(Text of Videotape presentation:)

Mr. GOLDMAN. Now, Mr. Morrison, shortly after you heard the July 25th call, you testified that you alerted the NSC legal advisor, John Eisenberg, pretty much right away. Is that right?

Mr. MORRISON. Correct.

Mr. GOLDMAN. And you indicated in your opening statement, or at least from your deposition, that you went to Mr. Eisenberg out of concern over the potential political fallout if the call record became public and not because you thought it was illegal. Is that right?

Mr. MORRISON. Correct.

Mr. GOLDMAN. But you would agree, right, that asking a foreign government to investigate a domestic political rival was inappropriate, would you not?

Mr. MORRISON. It is not what we recommended the President discuss.

Mr. Manager SCHIFF. I think that is a profound understatement. Mr. Morrison clearly recognized that the request to investigate Biden and Burisma was about U.S. domestic politics and not U.S. national security. Lieutenant Colonel Vindman knew this, too, and he reported his concerns to the White House counsel.

(Text of Videotape presentation:)

Mr. GOLDMAN. Now, you said you also reported this incident to the NSC lawyers; is that right?

Lt. Col. VINDMAN. Correct.

Mr. GOLDMAN. What was their response?

Lt. Col. VINDMAN. John Eisenberg said that he—he took notes while I was talking, and he said that he would look into it.

Mr. GOLDMAN. Why did you report this meeting and this conversation to the NSC lawyers?

Lt. Col. VINDMAN. Because it was inappropriate. And, following the meeting, I had a short conversation—following the post-meeting meeting, in the Ward Room. I had a short conversation with Ambassador—correction—Dr. Hill. And we discussed the idea of needing to report this.

Mr. Manager SCHIFF. In fact, Lieutenant Colonel Vindman reported concerns twice, and Mr. Morrison did so multiple times as well.

They, of course, weren't the only ones. As this slide shows, Dr. Hill reported her concerns to the NSC legal advisor. Mr. Kent reported his concerns about the State Department's failure to respond to the House's document request. The lawyers were awfully busy.

And why did President Trump's own officials—not so-called Never Trumpers, not Democrats or Republicans, but career public servants—report this conduct in real time? Because they knew it was wrong.

Dr. Hill said: ''It was improper, and it was inappropriate, and we said that in the time, in real time.''

Lieutenant Colonel Vindman said: ''[The July 25] call was wrong'' and he had a ''duty to report it.''

Ambassador Taylor said: ''Holding up of security assistance . . . for no good policy reason, no good substantive reason, no good national security reason, is wrong.''

Mr. Morrison admitted that he reported the July 25 call ''pretty much right away'' and ''recommended to them that we restrict access to the package.''

And Ms. Williams said: ''[The July 25 call] struck me as unusual and inappropriate,'' and ''more political in nature.''

Mr. Manager SCHIFF. The consensus is clear. The President's demand for political investigations was improper, inappropriate, and wrong, and again confirms that the requested investigations were not about anything except Donald Trump's political gains.

Let's go to the seventh reason why you know President Trump put himself first. American officials weren't the only ones who recognized the political nature of these requests. Ukrainian officials did, too. That brings us the seventh reason we know that this was against our national interests. Ukrainian officials themselves expressed concern that these corrupt investigations would drag them into U.S. domestic politics.

For example, in mid-July, Ambassador Taylor texted Sondland and Taylor and explained President Zelensky's reluctance to become a pawn in U.S. politics. Ambassador Taylor said: ''Gordon, one thing Kurt and I talked about yesterday was Sasha Danyliuk's point''—he is a top adviser to President Zelensky—''Sasha Danyliuk's point that President Zelensky is sensitive about Ukraine being taken seriously, not merely as an instrument in Washington domestic reelection politics.''

So here you have Sasha Danyliuk, one of the top advisers to President Zelensky affirming that his President wants to be taken seriously. It is pretty extraordinary when a foreign leader has to communicate to this country that they want him to take him seriously and not just as some kind of a political pawn for political purposes. An ally dependent on us for military support, economic support, and diplomatic support has to say: Please take us seriously. But this is what the Ukrainians are saying. They understood this wasn't American policy—as much as we do—and they didn't want to be used as a pawn.

Ambassador Taylor explained his text during his testimony: ''The whole thrust of this irregular channel was to get these investigations, which Danyliuk and presumably Zelensky were resisting because they didn't want to be seen to be interfering but also to be a pawn.''

Mr. Manager SCHIFF. This is an important point, too. It wasn't just that they didn't want to be seen as getting into politics, because if they did and it looked like they were getting on the side of Donald Trump, that would hurt their support with Democrats, and if it looked like they were getting involved with the other side, it would hurt them with the President. There was no benefit to Ukraine to be dragged into this. There was no benefit to Ukraine by this, but they also didn't want to be viewed as a pawn.

President Zelensky has his own electorate. He is a new leader. He is a former comedian, and he wants to be taken seriously. He needs to be taken seriously, because if the United States isn't going to take him seriously, you can darn well bet Vladimir Putin will not take him seriously.

So the perception—not just that there is a rift, that he can't get military aid or it is in doubt or in question, but the impression—that he is nothing more than a pawn, you could see how problematic that was for President Zelensky. In other words, Ukrainian officials understood, just as our officials understood, just as all those folks you saw—Morrison, Vindman, Hill, and others, all the people who had to go to the lawyers, all the people who listened to that call and understood—that this was just wrong.

Morrison goes on to say that he is no legal expert and can't really opine on the legality of what happened on this call, but they all knew it was wrong. They also knew that it was damaging to bipartisan support. They knew it was damaging to our national security. But here we see. It wasn't just our people. It was the Ukrainians who also understood this was a pure political errand they were being asked to perform.

That is no way to treat an ally at war.

Now, it wasn't just the testimony of U.S. officials on this. We know this directly from the Ukrainians. Indeed, we know this directly from President Zelensky himself, who said: ''I am sorry, but I don't want to be involved to democratic, open elections—elections of the USA.''

Here is Zelensky saying: ''I don't want to be involved.'' He shouldn't be involved. He shouldn't be involved in our elections. That is not his job, and he knows that, and it is a tragic fact that the world's oldest democracy has to be told by this struggling democracy: This isn't what you are supposed to do. But that is what is happening.

Let's go to the eighth reason why you can know that President Trump put himself first, and that is because there is no serious dispute that the White House tried to bury the call record. They tried to bury the call record. Although President Trump has repeatedly insisted that his July conversation with President Zelensky ''was perfect,'' the White House apparently believed otherwise. Their own lawyers apparently believed otherwise.

Following a head-of-state call, the President issues a summary or readout to lock in any commitments made by the foreign leader and publicly reinforce the core elements of the President's message. However, no public readout was posted on the White House website following the July 25 call. I wonder why that was.

The White House instead provided reporters with a short, incomplete summary that, of course, omitted the major elements of the conversation.

The short summary said:

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

That was it. Now, I don't know about you, but that does not seem like an accurate summary of that call. As you can see, that summary did not mention President Trump's mention of a debunked conspiracy theory about the 2016 election promoted by Russian President Putin. The summary did not mention President Trump's demand that Ukraine announce an investigation into his domestic political rival, former Vice President Biden. The summary did not mention that President Trump praised a corrupt Ukrainian prosecutor, who to this day continues to feed false claims to the President through Rudy Giuliani.

If the call was ''perfect,'' if these investigations were legitimate foreign policy, if the White House had nothing to hide, then ask yourselves: Why did the White House's readout omit any mention of the investigations? Why not publicly confirm that Ukraine had been asked by the President to pursue them?

Why? Because it would have exposed the President's corruption.

Sanitizing the call readout wasn't the only step taken to cover up the President's wrongdoing. The White House Counsel's office also took irregular efforts to hide the call record away on a secure server used to store highly classified information. National Security Council Senior Director Tim Morrison, whom you saw video clips on, testified that he requested that access to the electronic file of the call record be restricted so that it would not be leaked.

Mr. Morrison said the call record did not meet the requirements to be placed on the highly classified system, and Mr. Eisenberg later claimed the call record had been placed on the highly classified system ''by mistake.''

I am sure it was a very innocent mistake. However, mistake or no mistake, it remained on that system until at least the third week of September 2019. So that mistake continued from July all the way through September.

Why were they trying to hide what the President did? This was U.S. policy and they were proud of it. If they were really interested in corruption, if this was about corruption, if this had nothing to do with the President's reelection campaign, if Biden was merely an interesting coincidence, why did they bury the record? Why did they hide the record? Why did they put the record on a system meant for highly classified information, which the folks in here on the Intelligence Committee and many others can tell you is usually used for things like covert action operations—the most sensitive secrets?

Well, this was a very sensitive political secret. This was a covert action of a different kind. This was a corrupt action and it was hidden, and they knew it was, and that is why they hid it. Innocent people don't behave that way.

Let's go to the ninth reason that you know President Trump put himself first. The clearest reason that we can tell that all that President Trump cared about was the investigations is that President Trump confirmed his desire for these investigations in his statements to his agents and when this scheme was discovered to the American people.

The very day after he solicited foreign interference to help him cheat in the 2020 election, President Trump spoke with Gordon Sondland, who was in Ukraine. President Trump had only one question for Ambassador Sondland: ''So, he's going to do the investigation?''

Here is David Holmes recounting the call between President Trump and Sondland:

(Text of Videotape presentation:)

Mr. HOLMES. I then heard President Trump ask, ''So he's going to do the investigation?'' Ambassador Sondland replied that he is going to do it, adding that President Zelensky will do ''anything you ask him to do.''

Mr. Manager SCHIFF. So here we are; this is July 26. President Zelensky doesn't want to be used as a pawn and doesn't want to be drawn into U.S. politics, but at this point he feels he has no choice. Sondland tells David Holmes he is going to do it. Of course, that is the only thing the President asked about in that call. Sondland says he is going to do it, adding that Zelensky will do ''anything you ask'' him to do, including, apparently, be his pawn.

Although Sondland didn't remember the details of his conversation, he did not dispute Holmes' recollection of it. In fact, Ambassador Sondland had an interesting take on it, which you should hear.

(Text of Videotape presentation:)

Ambassador SONDLAND. Actually, actually, I would have been more surprised if President Trump had not mentioned investigations, particularly given what we are hearing from Mr. Giuliani about the President's concerns.

Mr. Manager SCHIFF. That is pretty telling that in this call, the day after he has had this head-of-state call—they finally got the call arranged between these two Presidents—and Ambassador Sondland, with major support of the President, says: I would have been more surprised if he didn't bring it up.

The President doesn't bring up the war with Russia. He doesn't bring up anything else. He just brings this up, and Sondland confirms: Yeah, frankly, I would have been surprised if it was something different because we are all in the loop here.

Everybody understood what this President wanted, and apparently everybody also understood just how wrong it was and how damaging it was.

In September 2019, even after President Trump learned that his scheme was in danger of becoming publicly exposed, he would not give up. He still expected Ukraine to announce investigations into Joe Biden and his alleged Ukrainian interference in 2016. According to three witnesses, President Trump emphasized to Ambassador Sondland during a call on September 7 that President Zelensky ''should want to do it.''

Then you have the President's remarks on October 3:

(Text of Videotape presentation:)

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

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

Mr. Manager SCHIFF. So here we hear again from the President's own words what his primary object is, and his primary object is helping his reelection campaign—help to cheat in his reelection campaign. After all that we have been through and after all that we went through with the Russian interference in our election and all that cost, he was at it again, unrepentant and undeterred. If anything, he was emboldened by escaping accountability from his invitation and willful use of Russian-hacked materials in the last election, and unconstrained. This is a President who truly feels that under article II he can do whatever he wants, and that includes coercing an ally to help him cheat in an election.

If he is successful, the election is not a remedy for that. A remedy in which the President can cheat is no remedy at all, which is why we are here. This was not about corruption, which brings me to No. 10, the 10 reasons you know President Trump put himself first.

Ironically, the President has argued that his corrupt conduct in soliciting sham investigations from Ukraine was driven by his concerns about corruption in Ukraine. This attempt to legitimize his efforts is simply not credible and not the least bit believable given the mountain of evidence in the record of President Trump's corrupt intent. There is no evidence that President Trump cared one whit about anti-corruption efforts at all. That is the 10th reason you know this was all political.

First, the evidence and President Trump's own public statements make clear that when the President talks about corruption in Ukraine, he is only talking about that sliver—that little sliver—of alleged corruption that just somehow happened to be affected by his own political interests, specifically two investigations that would benefit his reelection.

For example, on September 25, in a joint press availability with President Zelensky—the man who doesn't want to be a pawn—at the United Nations General Assembly, President Trump emphasized his understanding of corruption to relate to the Biden investigation.

(Text of Videotape presentation:)

TRUMP. Now, when Biden's son walks away with millions of dollars from Ukraine, and he knows nothing, and they're paying him millions of dollars, that's corruption.

Mr. Manager SCHIFF. I mean, you can imagine how President Zelensky feels sitting there and hearing this—the man who does not want to be a pawn and the man who doesn't want to be pulled into American politics. And

there is the President, at it again, trying to draw his nation in, even while they have a war to fight.

Another example was on September 30, when President Trump stated:

(Text of Videotape presentation:)

Now, the new President of Ukraine ran on the basis of no corruption. That's how he got elected. And I believe that he really means it. But there was a lot of corruption having to do with the 2016 election against us. And we want to get to the bottom of it, and it's very important that we do.

Mr. Manager SCHIFF. This is, of course, again, bringing up the CrowdStrike conspiracy theory. What does the President say? ''Corruption . . . against us.'' He is not concerned about actual corruption cases, only about matters that affect him personally.

Two days later, President Trump again tried to link corruption with the Biden investigation.

(Text of Videotape presentation:)

The only thing that matters is the transcript of the actual conversation that I had with the President of Ukraine. It was perfect. We're looking at congratulations. We're looking at doing things together. And what are we looking at? We're looking at corruption. And, in, I believe, 1999, there was a corruption act or a corruption bill passed between both—and signed—between both countries, where I have a duty to report corruption. And let me tell you something: Biden's son is corrupt, and Biden is corrupt.

Mr. Manager SCHIFF. Just 2 days after that, the President again equated corruption with actions by others to hurt him politically.

(Text of Videotape presentation:)

The PRESIDENT: Here's what's okay: If we feel there's corruption, like I feel there was in the 2016 campaign—there was tremendous corruption against me—if we feel there's corruption, we have a right to go to a foreign country.

Mr. Manager SCHIFF. So here, again, the President is pushing out the Kremlin talking points of Ukrainian interference in 2016 and the CrowdStrike conspiracy theory. Again, when President Trump is talking about corruption, he is talking about perceived efforts by political opponents to hurt him. It is personal, and it is political, but it is not anti-corruption policy.

Ambassador Volker confirmed this fact. Fighting corruption in Ukraine, when used by President Trump and Giuliani, in fact, refers to the investigation of the Bidens in 2016. Volker said:

(Text of Videotape presentation:)

VOLKER. In hindsight, I now understand that others saw the idea of investigating possible corruption involving the Ukrainian company Burisma as equivalent to investigating former Vice President Biden.

Mr. Manager SCHIFF. So, again, although President Trump and Mr. Giuliani had used the general term ''corruption'' to describe what they want Ukraine to investigate, it wasn't about anything actually related to corruption. The evidence, including the President's own statements, makes clear that this is simply code for the specific investigations that President Trump wanted Ukraine to pursue.

Second, as we have discussed, the President's timing of his purported concerns about corruption in Ukraine make it all the more suspect. Before news of Vice President Biden's candidacy broke, President Trump showed no interest in Ukraine. He gave Ukraine hundreds of millions of dollars under a regime that lost power because of mounting concerns about corruption.

So here we are, the President, in these prior years, giving money to a government, to Mr. Poroshenko, that is viewed as corrupt, and Zelensky comes and runs against him in an underdog campaign—underdog campaign of Zelensky against Poroshenko. And what is the heart of Zelensky's campaign? That Poroshenko's government is corrupt, and he is running to clean it up. He is the reformer. He succeeds because the Ukrainians really want to clean up their government. We see this reformer win and carry the hopes of the Ukrainian people.

President Trump had no problem giving money appropriated by Congress to Ukraine under the corrupt regime of Poroshenko where corruption had existed during Poroshenko. But a reformer gets elected, devoted to fighting corruption, and suddenly there is a problem. There was a reason to give more support to Ukraine. We had a President for whom this was the central pillar of his campaign. He came from outside of the government. People placed their hopes in him. You can see President Zelensky trying to flatter the President in that July 25 call by saying: I am up for draining the swamp too. He ran on a campaign of reform.

So there was no problem giving money to the prior regime where there were abundant concerns about corruption, but you get a reformer in office, and now there is a problem? Of course, we know what changed: the emergence of Joe Biden as a candidate.

In the prior regime, corruption was no problem. A reformer comes into office; suddenly, there is a problem. If you need any more graphic example, again, you look at that call.

No one disputes that Marie Yovanovitch was and is a devoted fighter against corruption. That is her reputation. That was part of the reason they had to get rid of her. If you look at that July 25 call, the President is badmouthing this person fighting corruption. He is praising the former Ukrainian prosecutor, who is corrupt. Are we really to believe that this is about fighting corruption? There was no problem supporting the former regime with corruption problems but problems supporting a reformer trying to clean it up; no problems with a corrupt former Ukrainian prosecutor whom he praises in that call—he is a good man—but problems with a U.S. Ambassador who has devoted her life to this country.

It wasn't until 2019, after Biden emerged as a considerable opponent and after Special Counsel Mueller confirmed that President Trump's campaign had welcomed Russian assistance in 2016 that President Trump, we are to believe, suddenly developed an interest in anti-corruption reforms in Ukraine. Never mind that his own Defense Department said they were meeting all the benchmarks. This new administration, the reformer, was doing exactly what we wanted him to do. Never mind that. Now that Biden is in the picture, he has a problem.

Third, when given the opportunity to raise the issue of corruption with the Ukrainians, the President never did. Despite at the request of his staff, the word ''corruption'' never crosses his lips, just the Bidens and CrowdStrike.

When the President first spoke to President Zelensky on April 21, he was supposed to—he was asked to by his staff—bring up corruption. Go back and check, but I think the readout of that congratulatory call actually said that he brought up corruption. Am I right? My staff says I am right.

So, on April 21, he is asked to bring up corruption. In the congratulatory call to President Zelensky—great reformer—he doesn't bring it up, but you know the readout says that he did. It was just like the readout of the July 25 call, misleading.

Of course, the readout for the second call was far more misleading because there was far more to mislead about. But in those two conversations, there is nary a mention of the word ''corruption.'' We are to believe that, apart from the Bidens, this is what our President was concerned about in Ukraine.

Here is Lieutenant Colonel Vindman.

(Text of Videotape presentation:)

Mr. SCHIFF. Colonel Vindman, if I could turn your attention to the April 21 call, that is the first call between President Trump and President Zelensky, did you prepare talking points for the President to use during that call?

Lieutenant Colonel VINDMAN. Yes, I did.

The CHAIRMAN. And did those talking points include rooting out corruption in Ukraine?

Lieutenant Colonel VINDMAN. Yes.

The CHAIRMAN. That was something the President was supposed to raise in the conversation with President Zelensky?

Lieutenant Colonel VINDMAN. Those were the recommended talking points that were cleared through the NSC staff for the President, yes.

The CHAIRMAN. Did you listen in on the call?

Lieutenant Colonel VINDMAN. Yes, I did.

The CHAIRMAN. The White House has now released the record of that call. Did President Trump ever mention corruption in the April 21 call?

Lieutenant Colonel VINDMAN. To the best of my recollection, he did not.

Mr. Manager SCHIFF. President Trump also did not mention the word ''corruption'' on the July 25 call. Here is Lieutenant Colonel Vindman confirming that as well. Well, actually, that slide is what I was referring to earlier—the good work of my staff.

This is the readout of the April 21 call, which says:

President Donald J. Trump spoke today to President-elect Volodymyr Zelensky to congratulate him on his victory in Ukraine's

April 21 election. The President wished him success and called the election an important moment in Ukraine's history, noting the peaceful and democratic manner of the electoral process. President Trump underscored the unwavering support of the United States for Ukraine's sovereignty and territorial integrity—within its internationally recognized borders—and expressed his commitment to work together with President-elect Zelensky and the Ukrainian people to implement reforms that strengthen democracy, increase prosperity, and root out corruption.

Except that he didn't.

Let's hear Colonel Vindman. No, we don't have that. OK. Let's not hear Colonel Vindman. You heard enough of Colonel Vindman.

When President Trump had the ear of President Zelensky during the April 21 and July 25 calls, he did not raise that issue—the word ''corruption''—a single time.

There is ample other evidence as well. White House officials made clear to President Trump that President Zelensky was anti-corruption, that President Trump should help him fight corruption. The President's Agencies and Departments supported this too. The Defense Department and State Department certified that Ukraine satisfied all anti-corruption benchmarks before President Trump froze the aid.

The point is this: The evidence is consistent. It establishes clearly that President Trump did not care about corruption. To the contrary, he was pursuing a corrupt aim. He wanted Ukraine to do the exact thing that American policy officials have tried for years to stop foreign governments from doing: corrupt investigations of political rivals.

To sum up, the evidence is unmistakably clear. On July 25, while acting as our Nation's chief diplomat and speaking to the leader of Ukraine, President Trump solicited foreign interference in the U.S. election for one particular objective: to benefit his own reelection. To seek help in cheating in a U.S. election, he requested—effectively demanded—a personal political favor: that Ukraine announce two bogus investigations that were only of value to himself.

This was not about foreign policy. In fact, it was inconsistent with and diverged from American national security and American values. His own officials knew this, and they reported it. Ukraine knew this. And his own White House attempted to bury the call.

The President has confirmed what he wanted in his own words. He has made it clear he didn't care about corruption; he cared only about himself. Now it is up to us to do something about it, to make sure that a President—that this President cannot pursue an objective that places himself above our country.

Ms. Manager LOFGREN. Well, we have gone through the object of President Trump's scheme: getting Ukraine to announce that investigations would be held, and that would help him cheat and gain an advantage in the 2020 election. Those sham investigations were to advance his personal political interests, not the national interests of America. Let's drill down on the how—how the President abused the power of his office and executed his corrupt scheme.

As noted earlier, the President executed his scheme through three official actions: first, by soliciting foreign election interference; second, by conditioning an official Oval Office meeting on Ukraine doing or at least announcing the political investigations; and third, by withholding military aid to pressure Ukraine to announce those investigations.

All three of President Trump's official actions were an abuse of his power as President and done for personal gain, but the original abuse was President Trump's solicitation of election interference from a foreign country—Ukraine. He tried to get an announcement of investigations designed to help him in the 2020 Presidential election, so let's start there.

President Trump's corrupt demands of President Zelensky in the July 25 phone call were not just a spontaneous outburst; they were a dramatic crescendo in a monthslong scheme to extort Ukraine into assisting his 2020 reelection campaign.

As was shown, there is evidence of President Trump himself demanding that Ukraine conduct the investigations, but President Trump also delegated his authority to his political agent, Rudy Giuliani, to oversee and direct this scheme. That was beginning in late 2018 and early 2019. Here is how that scheme worked:

First, in January of 2019, Mr. Giuliani and his associates discussed the investigations with the then current and former prosecutor generals of Ukraine. As we discussed, both were corrupt.

Then in late April 2019, the scheme hit a roadblock. A reform candidate, Zelensky, won the Ukrainian Presidential election. The fear was that President-elect Zelensky would replace the corrupt prosecutor Giuliani had been dealing with.

President Trump removed Ambassador Yovanovitch because his agents, including Giuliani, believed she was another roadblock to the corrupt scheme they were undertaking on his behalf. In her place, President Trump directed a team of handpicked political appointees—U.S. officials who were supposed to work in the public interest—to instead work with Mr. Giuliani to advance the President's personal interests. Those were the three amigos. As Ambassador Sondland said, those U.S. officials ''followed the President's orders.''

But even with Ambassador Yovanovitch gone, President Zelensky still resisted Mr. Giuliani's overtures. So, at the President's direction, throughout May and June, Giuliani ratcheted up public pressure on Ukraine to announce the investigations. No luck. It was only then, when Mr. Giuliani could not get the deal done, that President Trump turned to the second official action—using the Oval Office meeting to pressure Ukraine.

Before we turn to this scheme for soliciting foreign election interference, we need to understand how Mr. Giuliani, the President's private agent, assumed the leadership role in this scheme that applied escalating pressure on Ukraine to announce investigations helpful to the President's political interest.

Why is that so important? First, let's be clear. Mr. Giuliani is President Trump's personal lawyer. He represented President Trump with his knowledge and consent. The evidence shows Mr. Giuliani and President Trump were in constant contact in this time period. Both U.S. and Ukrainian officials knew Mr. Giuliani was the key to Ukraine.

Let's review the President's use of Mr. Giuliani to advance his scheme.

First, no one disputes that Mr. Giuliani was and is President Trump's personal lawyer. President Trump has said this. Mr. Giuliani says it. We all know it is true.

Second, President Trump at all times directed and knew about Mr. Giuliani's actions. How do we know this? Let's start with the letter signed by Giuliani to President Zelensky. Here is that letter.

On May 10, 2019, Mr. Giuliani wrote to a foreign leader, President-elect Zelensky. The letter reads: ''In my capacity as personal counsel to President Trump and with his knowledge and consent. . . . '' Rudy Giuliani, not a government official, asked to speak about President Trump's specific request, and he makes it clear that it was in his role as the President's counsel.

Mr. Giuliani didn't just tell a foreign leader that; he also told the press. The day before Mr. Giuliani's letter to Zelensky, the New York Times published an article about Mr. Giuliani's upcoming trip to Ukraine.

Here is a slide about that article. It said: ''Rudy Giuliani Plans Ukraine Trip to Push for Inquiries That Could Help Trump.''

Mr. Giuliani said his trip was to pressure Ukraine to initiate investigations into false allegations against the Bidens and the 2016 election and that it was at the request of the President. He stated that President Trump ''basically knows what I'm doing, sure, as his lawyer.''

President Trump repeatedly admitted knowledge of Mr. Giuliani's activities and to coordinating with him about the Ukrainian activities.

POLITICO reported on May 11, 2019:

In a telephone interview with POLITICO on Friday, Trump said he didn't know much about Giuliani's planned trip to Ukraine, but wanted to speak to him about it.

And this is a quote of the President's:

''I have not spoken to him at any great length, but I will,'' Trump said in the interview. ''I will speak to him about it before he leaves.''

President Trump knew and directed Mr. Giuliani's activities in May 2019 when Mr. Giuliani was planning his visit to Kyiv, and that remains true today.

The Wall Street Journal reported that when Rudy Giuliani returned from a trip to Kyiv just last month, ''the President called him as the plane was still taxiing down the runway.'' President Trump asked his lawyer: ''What did you get?'' Giuliani answered: ''More than you can imagine.''

Even as President Trump faced impeachment in the House of Representatives, he was coordinating with his personal attorney on the Ukraine scheme. The President asked Rudy: ''What did you get?''

The evidence also shows that Mr. Giuliani and the President were in frequent contact. During the investigation and in response to a lawful subpoena, the House got call records. They show contacts—not content—between Giuliani, the White House, and other people involved in the President's scheme. For example, on April 23, Rudy Giuliani learned President Trump had decided to fire Ambassador Yovanovitch. According to phone records, on that day, Giuliani had an 8-minute-and-28-second call with a White House number.

Let's look at what happened the next day, on April 24. Giuliani was again in repeated contact with the White House. For example, he had one 8-minute-42-second call with a White House number. An hour and a half later, he had another call, which lasted 3 minutes and 15 seconds, with the White House. When a reporter recently asked whom he called at the White House, Mr. Giuliani said this: ''I talk to the President, mostly.''

Rudy Giuliani remained in close contact with the White House after the disclosure of his planned trip to Ukraine in mid-2019. Now, Rudy is the key to Ukraine. We know from Mr. Giuliani and the President's own statements about his role as President Trump's personal agent advancing the Ukraine scheme. We know from their comments and the documentary evidence about the frequency of their contact.

But it wasn't just the frequency of Mr. Giuliani's contact that is significant. Here is what matters: President Trump directed U.S. officials to work with his personal agent, who was pursuing investigations not at all related to foreign policy. U.S. officials, including the President's own National Security Advisor, knew there was no getting around Rudy Giuliani when it came to Ukraine. Witnesses repeatedly testified to the constant presence of Rudy Giuliani on television and in the newspapers. A State Department official, Christopher Anderson, said that John Bolton ''joked about, every time Ukraine is mentioned, Giuliani pops up.''

After Ambassador Yovanovitch's dismissal, Ambassador Bolton told Dr. Hill that Rudy Giuliani was a ''hand grenade that's going to blow everybody up.'' Dr. Hill testified that Ambassador Bolton issued guidance for the National Security Council staff to not engage with Rudy Giuliani. That made sense. Why? Because Mr. Giuliani was not conducting official U.S. foreign policy; he was doing a domestic political errand for President Trump.

Now, these phone records, as I say, lawfully obtained, reveal potential contact between Ambassador Bolton and Rudy Giuliani on May 9, the day the New York Times reported his trip to Kyiv. Rudy Giuliani's role in Ukraine policy is yet another topic that Ambassador Bolton could speak to. You should call him and hear what he has to say about it.

Even without Ambassador Bolton's testimony, multiple other administration officials confirmed Mr. Giuliani's central role. Ambassador Sondland said: It was apparent to everyone that the key to changing the President's mind on Ukraine was Giuliani. David Holmes, U.S. political counselor in Kyiv, said: ''Giuliani, a private lawyer, was taking a direct role in Ukrainian diplomacy.''

Bad enough that the President ordered U.S. diplomats to ''talk to Rudy'' about Ukraine, the scheme got worse. The evidence shows that Ukrainian officials also came to recognize the important role of Mr. Giuliani. On July 10, 2019, Andriy Yermak, the top aide to President Zelensky, sent a text to Ambassador Volker about Rudy Giuliani. In that text, the Ukrainian official said this:

> Thank you for the meeting and your clear and very logical position. Will be great meet with you before my departure and discuss. I feel that the key for many things is Rudi and I ready to talk with him at any time.

Let me repeat that quote: ''[T]he key for many things is Rudy.

So the President used his personal agent to conduct his scheme with Ukraine. They were in frequent contact. Everyone—White House officials and Ukrainian officials—knew they had no choice but to deal with Giuliani. What was Mr. Giuliani doing that was so important to Ukraine? Again, the evidence is clear. Mr. Giuliani's focus was to get investigations into President Trump's political rival to help the President's reelection.

We have walked through some of the timeline of Mr. Giuliani's actions and statements about Ukraine, but let's just line them up briefly because it makes the story so clear. April 2019: Vice President Biden officially announced his campaign for the Democratic Party's Presidential nomination. And a reminder: At the time of Biden's announcement and for months after, public polling, including from FOX News, showed that Biden would beat President Trump. The FOX News polling data is up on the chart.

Right after Vice President Biden announced his candidacy and while Biden was beating President Trump in the polls, Mr. Giuliani said in a public interview with the New York Times that he was traveling to Ukraine to pursue investigations. He wanted to make sure that ''Biden will not get to election day without this being investigated.'' The scheme was all about President Trump's reelection.

This continued in June. Mr. Giuliani tweeted on June 21 and urged President Zelensky to pursue the investigation. The scheme continues even now. Mr. Giuliani has tweeted about Joe Biden over 65 times since September, and President Trump told you himself. He admitted on October 2: '' . . . we've been investigating, on a personal basis—through Rudy and others, lawyers—corruption in the 2016 election.'' Again, to review, President Trump used his personal agent for Ukraine. He has made this clear to U.S. officials and to the Ukrainians. The evidence shows President Trump and Rudy Giuliani were in constant contact during this period. President Trump directed him to pursue investigations. He told U.S. officials to work with Rudy. He told Ukrainians to work with Rudy. Rudy and his associates pressed Ukraine for investigations into the President's political rival. Giuliani said: ''Biden will not get to election day without this being investigated.''

Keeping all this in mind, let's turn to the President's first official act: soliciting foreign interference. As we mentioned, in late 2018 and early 2019, Rudy Giuliani and his associates Lev Parnas and Igor Fruman were busy soliciting information from corrupt Ukrainians to help President Trump. They pursued a monthslong campaign to dig up dirt on Biden. In late 2018 and early 2019, Parnas, Fruman, and Giuliani met extensively with two corrupt Ukrainian prosecutors, Yuriy Lutsenko and Viktor Shokin, to gather information they believed would help President Trump. As you will recall, Shokin was corrupt. George Kent described Shokin as ''a typical Ukrainian prosecutor who lived a lifestyle far in excess of his government salary, who never prosecuted anybody known for having committed a crime'' and who ''covered up crimes that were known to have been committed.'' And remember, because Shokin was corrupt, Vice President Biden had urged his removal. This was in accordance with U.S. policy.

Shokin blamed the former Vice President for his dismissal by the Ukrainian Parliament. He wanted to revive his political fortunes in Ukraine by assisting with Giuliani's effort. At the end of January, Giuliani, Parnas, and Fruman participated in a conference call with Shokin. He made allegations about Vice President Biden and Burisma. Shokin also falsely claimed that Ambassador Yovanovitch had improperly denied him a U.S. visa and that she was close to Vice President Biden. Also, in January, Giuliani, Parnas, and Fruman met with Lutsenko in New York. They discussed investigations into Burisma and the

Bidens and whether Ambassador Yovanovitch was ''loyal to President Trump.'' Lutsenko held a grudge against Ambassador Yovanovitch because she and the broader State Department were critical of Lutsenko's failures. They were critical of his failure to prosecute corruption in Ukraine. This was the motivation for Lutsenko to give Giuliani and his associates false information on Biden and Burisma.

And here is the point: Lutsenko and Shokin had grudges against Biden and Ambassador Yovanovitch. Why? Because they were implementing U.S. policy to fight corruption in Ukraine. Now, Giuliani and his associates had motive to harm Biden: to help get President Trump reelected. They had motive to remove Ambassador Yovanovitch or anyone else who got in the way of their efforts to smear Biden. Giuliani admitted this. He told the New York Times that he spoke to President Trump about how Ambassador Yovanovitch frustrated efforts that could be politically helpful to President Trump. Giuliani admitted this was all to benefit President Trump. Documents give us evidence of this scheme. WhatsApp exchanges that Parnas recently gave to Congress made clear that, in exchange for derogatory information about Biden, Lutsenko wanted Yovanovitch removed from her post in Kyiv.

Here is that WhatsApp report. For example, on March 22, Lutsenko wrote: ''It's just that if you don't make a decision about Madam—you are bringing into question all my allegations, including about B.'' Now, here, ''B'' could either be Biden or Burisma or both, but ''Madam'' is Ambassador Yovanovitch.

In the March 22 text, Lutsenko implied that, if Parnas wanted dirt on Biden—Burisma—he needed to do something about Ambassador Yovanovitch. Days later, on March 28, Parnas assured Lutsenko that his efforts were being recognized in the United States and that he would be rewarded. Parnas wrote:

I was asked to personally convey to you that America supports you and will not let you be harmed no matter how things look now. Soon everything will turn around and will be on the right course. Just so you know, here people are talking about you as a true Ukrainian hero.

Lutsenko responded with the dirt that President Trump wanted. He wrote: ''I have copies of payments from Burisma to Seneca.'' Minutes after being reassured that ''America supports you and will not let you be harmed,'' Lutsenko claimed he had records of payments from Burisma to Rosemont Seneca Partners, a firm founded by Hunter Biden. This text message, along with others, shows that Lutsenko was providing derogatory information on the Bidens in exchange for Parnas pushing for Ambassador Yovanovitch's removal.

Now, in late March and throughout April 2019, the smear campaign against the Bidens and against Ambassador Yovanovitch entered a more public phase through a series of opinion pieces published in The Hill. The public airing of these allegations was orchestrated—orchestrated by Giuliani, Parnas, and Lutsenko. We know from records produced by Parnas that he played an important role in getting derogatory information from Lutsenko and his deputy to John Solomon, who wrote the opinion pieces in The Hill.

According to The Hill articles, Ukrainian officials falsely claimed to have evidence of wrongdoing about the following: One, Vice President Biden's efforts in 2015 to remove Shokin; two, Hunter Biden's role as a Burisma board member; three, Ukrainian interference in the 2016 election in favor of Hillary Clinton; and four, the misappropriation and transfer of Ukrainian funds abroad.

This was what President Trump wanted from the Ukrainians: the same information Mr. Giuliani and his agents were scheming up with Ukraine to hurt Biden and, in exchange, to have Ambassador Yovanovitch removed.

Now, Mr. Giuliani was very open about this, and here is a clip worth watching.

(Text of Videotape presentation:)

Let me tell you my interest in that. I got information about three or four months ago that a lot of the explanations for how this whole phony investigation started will be in the Ukraine, that there were a group of people in the Ukraine that were working to help Hillary Clinton and were colluding really—[LAUGHTER]—with the Clinton campaign. And it stems around the ambassador and the embassy, being used for political purposes. So I began getting some people that were coming forward and telling me about that. And then all of a sudden, they revealed the story about Burisma and Biden's son.

Ms. Manager LOFGREN. Mr. Giuliani got laughed at on FOX News for advancing the crowd source conspiracy theory, but the clip shows that he had been making an effort to get derogatory information from the Ukrainians on behalf of his client, President Trump.

My colleague Mrs. DEMINGS will now further detail how the scheme evolved.

The CHIEF JUSTICE. The majority leader is recognized.

Mr. MCCONNELL. I understand the presentations will continue for a while, and I would suggest a dinner break at 6:30 for 30 minutes.

The CHIEF JUSTICE. Without objection.

Mrs. Manager DEMINGS. Chief Justice Roberts, Senators, and, of course, the counsel for the President, at this point, everything was going to plan. Mr. Giuliani was scheming with the corrupt Ukrainian prosecutors who were offering dirt on Biden that would help President Trump get reelected. They were pressing President Trump to remove Ambassador Yovanovitch, including publicly tarnishing her reputation, based on false and baseless claims. But then the President's scheme hit a roadblock.

On April 21, President Zelensky—then the anti-corruption candidate—won a landslide victory in Ukraine's Presidential election. U.S. officials unanimously testified that President Zelensky's mandate to pursue reform would be good for our national security. However, it was potentially bad news for President Trump's scheme.

Mr. Giuliani did not have a relationship with Zelensky. As a reformer, he would be less amenable to announcing the sham investigations. Zelensky would not want to get dragged into U.S. domestic politics.

Additionally, the election of a new Ukrainian President raised the concern that Lutsenko, with whom Mr. Giuliani had been plotting, would be replaced by a new Ukrainian prosecutor general. A new prosecutor general, especially one appointed in an anti-corruption regime, would likely be less willing to conduct sham investigations to please an American President.

Mr. Giuliani decided to attack the issue from both sides. He pressed President Trump to remove Ambassador Yovanovitch, which would keep Lutsenko happy. He continued to work hard to get dirt on Biden. And he tried to get a meeting with Zelensky to secure the new Ukrainian leader's commitment to press the investigations. This strategy played out on April 23 and 24.

First, on April 23, Parnas and Fruman were in Israel, trying to arrange a meeting between Giuliani and the newly minted Ukrainian President Zelensky.

On April 23, Giuliani left a voicemail message for Parnas. Let's play that voicemail.

Well, I was going to say it would be difficult to hear, but I am sure you cannot hear it at all. Let me tell you what it says. He says:

It's Rudy. When you get a chance, give me a call and bring me up to date okay? I got a couple of things to tell you too.

Parnas and Giuliani eventually spoke on that same day. We have the phone records that prove that. According to phone records, Parnas and Giuliani had a 1-minute-50-second call.

Fifteen minutes after they hung up, the records also show that Mr. Giuliani placed three short phone calls to the White House. Shortly thereafter, the White House called Giuliani back. Giuliani spoke with someone at the White House for 8 minutes and 28 seconds.

I will quickly note that at the time the Intelligence Committee issued its report in mid-December, we did not know whether that 8-minute-28-second call was from the White House. We have since received information from a telecom company that it was indeed the White House.

We don't have a recording of that call. Neither the White House nor Giuliani produced any information to Congress about what was discussed. Of course, the White House has refused, as you already know, to cooperate in any way. But even without the evidence that the White House is hiding—with

the evidence we do have—these phone records prove that Mr. Giuliani was keeping President Trump informed about what was going on when he was trying to meet President Zelensky and get Ukraine to commit to the investigations.

Let's look at President Trump's decision to remove Ambassador Yovanovitch. Following the call between Mr. Giuliani and the White House on April 23, Parnas asked Giuliani for an update. Parnas texted: ''Going to sleep my brother please text me or call me if you have any news.

Giuliani responded: ''He fired her again.''

That was, of course, in reference to Ambassador Yovanovitch. Her removal would no doubt please the corrupt Ukrainian prosecutor, Lutsenko, who offered derogatory information about Hunter Biden. It also eliminated a potential obstacle identified by Giuliani.

Parnas responded: ''I pray it happens this time I'll call you tomorrow my brother.''

And it did—because we know that the very next day, on April 24, Ambassador Yovanovitch received two frantic phone calls from Ambassador Carol Perez at the State Department. The second call came at 1 a.m.

According to Ambassador Yovanovitch, as you can see from the slide on the screen, the Director General of the Foreign Service told her that ''there was a lot of concern for me, that I needed to be on the next plane home to Washington.''

Yovanovitch recalled:

And I was like, what? What happened?

And Perez said:

I don't know, but this is about your security. You need to come home immediately. You need to come home on the next plane.

Yovanovitch asked what Perez meant by ''physical security.'' Perez ''didn't get that impression'' but repeated that Yovanovitch needed ''to come back immediately.'' This was no coincidence.

Mr. Giuliani and his agents conspired to meet President Zelensky. They conspired for Ambassador Yovanovitch to be removed. Within hours of Mr. Giuliani saying he prayed Ambassador Yovanovitch would get fired, Ambassador Yovanovitch got a frantic phone call to get on the next plane.

That same day, on April 24, Giuliani appeared on ''Fox & Friends'' and promoted the false conspiracy theories about Ukraine and Vice President Biden that were all part of this agreement. Let's look and listen to what he said.

(Text of Videotape presentation:)

And I ask you to keep your eye on Ukraine, because in Ukraine, a lot of the dirty work was done digging up the information. American officials were used, Ukrainians officials were used. That's collusion with Ukrainians. And, or actually in this case, conspiracy with the Ukrainians. I think you'd get some interesting information about Joe Biden from Ukraine. About his son, Hunter Biden. About a company he was on the board of for years, which may be one of the most crooked companies in Ukraine. [Ukranian Russian company—not a Ukranian—you know, big difference there. Yanukovych—the guy they tossed out and Manafort got in all the trouble with—the guy who owns it worked for Yanukovych, pulled 10 billion out of the Ukraine, has been a fugitive—was a fugitive when Biden's kid first went to work there.] And Biden bragged about the fact that he got the prosecutor general fired. The prosecutor general was investigating his son and then the investigation went south.

Mrs. Manager DEMINGS. Ambassador Yovanovitch was never provided a justification for her removal. She was an anti-corruption crusader, a highly respected diplomat. And she had been recently asked to extend her stay in Ukraine.

While American Ambassadors serve at the pleasure of the President—we do understand that—I am sure you would all agree that the manner and circumstances surrounding the Ambassador's removal were unusual and raised questions of motive.

Every witness who testified confirmed that there was no factual basis to the accusations Lutsenko lodged against Ambassador Yovanovitch. Under Secretary of State David Hale, the most senior career diplomat at the State Department, testified that Maria Yovanovitch was an outstanding Ambassador and should have been permitted to remain in Kyiv.

Even more significant, several witnesses testified that President Trump's decision to remove Ambassador Yovanovitch undercut U.S. national security objectives in Ukraine during a critical time.

Dr. Hill, for example, explained that many of the key U.S. policies toward Ukraine were being implemented by the U.S. Embassy in Kyiv. And then suddenly ''we had just then lost the leadership.'' This created what Hill labeled ''a period of uncertainty'' as to how our government was going to execute U.S. policy.

George Kent testified that the ouster of Ambassador Yovanovitch ''hampered U.S. efforts to establish rapport with the new Zelensky administration in Ukraine.''

So why did President Trump remove a distinguished career public servant Yanukovych and anti-corruption crusader and a top diplomat in the State Department?

We know why. The answer is simple: President Trump removed Ambassador Yovanovitch because she was in the way. She was in the way of the sham investigations that he so desperately wanted; investigations that would hurt former Vice President Biden and undermine the Mueller investigation into Russian election interference; investigations that would help him cheat in the 2020 election.

Rudy Giuliani admitted that he personally told President Trump about his concern that Ambassador Yovanovitch was an obstacle to securing Ukrainian cooperation on the two bogus investigations they solicited from Ukraine. And Rudy Giuliani confirmed that President Trump decided to remove Ambassador Yovanovitch based on the bogus claim that she was obstructing his scheme to secure Ukraine's cooperation. Indeed, Mr. Giuliani was explicit about this when he told the New Yorker last month. He said:

I believed that I needed Yovanovitch out of the way. She was going to make the investigations difficult for everybody.

So let's recap. Mr. Giuliani and his agents, on behalf of President Trump, the United States President, worked with corrupt Ukrainians to get dirt on President Trump's political opponent. Mr. Giuliani said this in press interviews. He texted about it with his agents, and he repeatedly called the White House.

Following the election of a new Ukrainian leader committed to fighting corruption, President Trump removed Ambassador Yovanovitch, an anti-corruption crusader, and Mr. Giuliani told us why: to get her out of the way for the investigations to move forward. That is how far President Trump was willing to go to get his investigations. To smear a highly respected, dedicated Foreign Service officer who had served this country unselfishly for his own selfish political interests is disgraceful.

Even with the removal of Ambassador Yovanovitch, President Zelensky's election victory threw a wrench into the President's scheme. That is because Lutsenko was reportedly going to be replaced. After Mr. Giuliani told the New York Times on May 9 that he intended to travel to Ukraine on behalf of President Trump in order to ''meddle in an investigation,'' Ukrainian officials publicly pushed back. Please hear what I said. Ukrainian officials publicly pushed back on the suggestions of corruptions proposed by Mr. Giuliani, who was working on behalf of the U.S. President.

Well, Mr. Giuliani canceled his trip on May 10 and claimed on FOX News that President Zelensky was surrounded by ''enemies'' of President Trump. Let's listen.

(Text of Videotape presentation:)

Mr. GIULIANI. I decided, Sharon, I'm not going to go to Ukraine.

Ms. BREAM. You are not going to go?

Mr. GIULIANI. I am not going to go because I think I'm walking into a group of people that are enemies of the President.

Mrs. Manager DEMINGS. It appears Giuliani's statement influenced President Trump's view of Ukraine, as well. At an Oval Office meeting on May 23, U.S. officials learned of Giuliani's influence. Ambassador Volker testified that President Trump ''didn't believe'' the positive assessment government officials gave the new Ukrainian President. Instead, President Trump told them that Giuliani ''knows all of these things'' and said that President Zelensky has ''some bad people around him.'' At this point, the scheme had stalled. Mr. Giuliani and the President knew that they were going to have

trouble with President Zelensky fulfilling his corrupt demand for investigations that would benefit President Trump's reelection campaign.

That brings us to the next phase of this scheme. Although his corrupt scheme was in trouble due to the unexpected results of the Ukrainian election—the election which yielded an anti-corruption reformer—President Trump doubled down on his scheme to solicit investigations for his personal benefit.

In May of 2019, with a gap in American leadership in Ukraine after Ambassador Yovanovitch was removed, President Trump enlisted U.S. officials to help to do his political work. The scheme grew from false allegations by disgruntled, corrupt Ukrainian prosecutors to a plot by the President of the United States to extort the new Ukrainian President into announcing his political investigations. During the May 23 Oval Office meeting, President Trump directed Ambassador Sondland, Ambassador Volker, and Secretary Perry to work with Mr. Giuliani on Ukraine. Giuliani had made clear he was pursuing investigations for President Trump in a personal capacity. He said publicly, on numerous instances, that he was only working for the President in a personal capacity and not on foreign policy. Yet President Trump still told White House officials that they had to work with Mr. Giuliani to get anywhere on Ukraine. We heard significant testimony on this point. For example, Ambassador Volker recalled that at the Oval Office meeting on May 23, President Trump directed the U.S. officials to ''talk to Rudy.'' Ambassador Sondland testified that President Trump directed them to ''talk to Rudy.'' In that moment, the U.S. diplomats saw the writing on the wall and concluded ''that if we did not talk to Rudy, nothing would move forward, nothing would move forward on Ukraine.'' Pay attention to Ambassador Sondland's testimony.

(Text of Videotape presentation:)

Ambassador SONDLAND. In response to our persistent efforts in that meeting to change his views, President Trump directed us to, quote, ''talk with Rudy.'' We understood that ''talk with Rudy'' meant, talk with Mr. Rudy Giuliani, the President's personal lawyer.

Let me say again, we weren't happy with the President's directive to talk with Rudy. We did not want to involve Mr. Giuliani. I believe then, as I do now, that the men and women of the State Department, not the President's personal lawyer, should take responsibility for Ukraine matters.

Nonetheless, based on the President's direction, we were faced with a choice. We could abandon the efforts to schedule the White House phone call and the White House visit between Presidents Trump and Zelensky, which was unquestionably in our foreign policy interest, or we could do as President Trump had directed and talk with Rudy. We chose the latter, of course, not because we liked it, but because it was the only constructive path open to us.

Mrs. Manager DEMINGS. And just like that, U.S. officials charged with advancing U.S. foreign policy—U.S. officials who were supposed to act in our country's interest—were directed to, instead, advance President Trump's personal interests. From that point on, they worked with the President's personal agent on political investigations to benefit the President's reelection.

Their work on President Trump's behalf to solicit foreign interference in our elections continued throughout all of June. For instance, on June 21, Mr. Giuliani tweeted that President Zelensky had not yet publicly committed on two politically motivated investigations designed to benefit President Trump. And when Mr. Giuliani's public efforts and his tweets didn't move President Zelensky to announce the investigations, he used U.S. diplomats as directed by President Trump. This is important.

After Giuliani canceled his trip to Ukraine in May and commented that President-elect Zelensky had enemies of President Trump around him, Giuliani had minimal access to the new Ukrainian leader's inner circle. His primary Ukraine connection, Prosecutor General Lutsenko, had already been informed that he would be removed as soon as the new Parliament convened. So President Trump gave him U.S. diplomats and directed them to work with Mr. Giuliani on his scheme. As you heard, President Trump told Ambassadors Sondland and Volker to talk with Rudy and work with Rudy on Ukraine. And what did that mean? Well, Mr. Giuliani tried to use Ambassador Sondland and Volker to gain access to President Zelensky and his inner circle through their official State Department channels and made clear to President Zelensky that he had to announce the investigations.

On June 27, Ambassador Sondland brought Ambassador Taylor up to speed on Ukraine since Ambassador Taylor had just arrived in the country a few weeks beforehand. Ambassador Sondland explained that President Zelensky needed to make clear that he was not standing in the way of the investigations that President Trump wanted—that President Zelensky needed to make clear that he was not standing in the way of the investigations that President Trump wanted. And here is his testimony.

(Text of Videotape presentation:)

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

Mrs. Manager DEMINGS. Ambassador Taylor relayed this conversation to one of his deputies, U.S. Diplomat David Holmes, who testified that he understood the investigations to mean the ''Burisma-Biden investigations that Mr. Giuliani and his associates had been speaking about'' publicly.

Let's listen to Mr. Holmes.

(Text of Videotape presentation:)

Mr. HOLMES. On June 27th, Ambassador Sondland told Ambassador Taylor in a phone conversation, the gist of which Ambassador Taylor shared with me at the time, that President Zelensky needed to make clear to President Trump that President Zelensky was not standing in the way of, quote, ''investigations.'' I understood that this meant the Biden/Burisma investigations that Mr. Giuliani and his associates had been speaking about in the media since March.

Mrs. Manager DEMINGS. Even with the addition of President Trump's political appointees to aid Mr. Giuliani's efforts, President Zelensky did not announce the investigations. As Mr. Giuliani's June 21 tweet shows, the Ukrainian President was resisting President Trump's pressure.

So what happened? Well, that brings us to the President's next official act: turning up the pressure by conditioning an official White House meeting on Ukraine announcing his political investigations.

Senators, I know we have covered a lot of ground, but as we have shown, there is overwhelming and uncontradicted evidence of the President's scheme to solicit foreign interference in this year's Presidential election.

Let me say this also. Each time that we remind this body of the President's scheme to cheat, to win, some of his defenders say that we are only concerned about winning the next election—the Democrats are only doing this to win the next election.

But you know better because this trial is much bigger than any one election, and it is much bigger than any one President. This moment is about the American people. Whether a maid or a janitor, whether a nurse, a teacher, or a truck driver, whether a doctor or a mechanic, this moment is about ensuring that their votes matter and that American elections are decided by the American people.

President Trump acted corruptly. He abused the power of his office by ordering U.S. diplomats to work with his political agent to solicit two politically motivated investigations by Ukraine. The investigations were designed solely to help his personal interests, not our national interests. Neither investigation solicited by President Trump had anything to do with promoting U.S. foreign policy or U.S. national security. Indeed, as we will discuss later, both investigations and the President's broader scheme to secure Ukraine's interference was a threat. It was a threat. It was a threat to our national security. The only person who stood to benefit from the abuse of office and solicitation of these investigations was Donald Trump—the 45th President of the United States.

This was a violation of public trust and a failure to take care that the laws be faithfully executed, but when it came down to choosing between the national interests of the country and his own personal interests—his reelection—President Trump chose himself.

Mr. Manager JEFFRIES. Mr. Chief Justice, the distinguished Members of the Senate, the counsel to the President, and all of those who are assembled here today, earlier this morning, I

was on my way to the office, and I ran into a fellow New Yorker who just happens to work here in Washington, DC.

He said to me: Congressman, have you heard the latest outrage?

I wasn't really sure what he was talking about. So, to be honest, I thought to myself, Well, the President is now back in town. What has Donald Trump done now? So I said to him: What outrage are you talking about?

He paused for a moment, and then he said to me: Someone voted against Derek Jeter on his Hall of Fame ballot.

(Laughter.)

Life is all about perspective.

I understand that, as House managers, we certainly hope we can subpoena John Bolton and subpoena Mick Mulvaney, but perhaps we can all agree to subpoena the Baseball Hall of Fame to try to figure out who, out of 397 individuals, was the one person who voted against Derek Jeter.

I was thinking about that as I prepared to rise today, because what is more American than baseball and apple pie? Perhaps the one thing that falls into that category is the sanctity and continuity of the U.S. Constitution.

As House managers, we are here in this august body because we believe it is necessary to defend our democracy. Some of you may agree with us at the end of the day, and others most likely will not, but we do want to thank you for your courtesy and for your patience in extending to us the opportunity to present our case with dignity to you and to the American people during this solemn constitutional moment.

I want to speak for just some time on the second official act that President Trump used to corruptly abuse his power, which was the withholding of an official Oval Office meeting with the President of Ukraine.

As discussed yesterday, ''quid pro quo'' is a Latin term. It means ''this for that.''

President Trump refused to schedule that Oval Office meeting until the Ukrainian leader announced the phony political investigations that he demanded on July 25. He knew President Zelensky needed the meeting to bolster his standing. He knew that Ukraine was a fragile democracy. He knew that President Zelensky needed the meeting to show Vladimir Putin that he had the support of Donald Trump, but President Trump exploited that desperation for his own political benefit—this for that. Did a quid pro quo exist? The answer is yes.

Let's listen to Ambassador Sondland on this point.

(Text of Videotape presentation:)

Amb. SONDLAND. I know that members of this committee frequently frame these complicated issues in the form of a simple question. Was there a quid pro quo? As I testified previously with regard to the requested White House call and the White House meeting, the answer is yes.

Mr. Manager JEFFRIES. Did President Trump abuse his power and commit an impeachable offense? The answer is yes.

The phony political investigations that President Trump demanded from Ukraine were part of a scheme to sabotage a political rival—Joe Biden—and cheat in the 2020 election. No national interest was served. The President used his awesome power to help himself and not the American people. He must be held accountable.

The President's defenders may argue, as Mick Mulvaney tried to, that quid pro quo arrangements are a common aspect of U.S. foreign policy. Nonsense. There are situations where official United States acts, like head-of-state meetings or the provision of foreign assistance, are used to advance the national interests of the United States. That is not what happened here. Here, President Trump sought to advance his own personal political interests, facilitated by Rudolph Giuliani, the human hand grenade.

Let's walk through the overwhelming evidence of how President Trump withheld an official White House meeting, which was vitally important to Ukraine, as part of a corrupt scheme to convince President Zelensky to announce two phony political investigations.

First, the Oval Office meeting President Trump corruptly withheld constitutes an official act. President Trump chose to withhold this meeting for a reason. It was not some run-of-the-mill meeting. It was one of the most powerful tools he could wield in his role as the leader of the free world. It would have demonstrated U.S. support for Ukraine's newly elected leader at a critical time. Ukraine is under relentless attack by Russian-backed separatists in Crimea and in the East. Ukraine desperately needed an Oval Office meeting, and President Trump knew it.

Second, President Trump withheld that Oval Office meeting to increase pressure on Ukraine to assist his reelection campaign by announcing two phony investigations. As my colleagues have detailed extensively throughout the day, this is a classic quid pro quo.

Third, multiple administration officials, including the President's own handpicked supporters and appointees, confirmed that a corrupt exchange was being sought.

Finally, contemporaneous documentation makes clear that the President corruptly abused his power to advance the scheme to try and cheat in the 2020 election—this for that.

Let's explore whether the granting or the denial of an Oval Office meeting constitutes an official act.

As we discussed earlier today, an abuse of power occurs when the President exercises his official power to obtain a corrupt personal benefit while ignoring or injuring the national interests.

Pursuant to the Constitution and more than 200 years of tradition, as President, Donald Trump is America's head of state and chief diplomat. Article II grants the President wide latitude to conduct diplomacy and to, specifically, receive Ambassadors and other public Ministers. The President decides which head-of-state meetings best advance the national interests and which foreign leaders are deserving of an official reception in the Oval Office—perhaps one of the most prestigious nonreligious venues in the world.

In diplomacy, perception matters. Meetings between heads of state are make-or-break moments that can determine the trajectory of global events, and a meeting with the President of the United States in the Oval Office is unquestionably monumental, particularly for a fragile democracy like Ukraine.

The Oval Office is where foreign leaders facing challenges at home go—like a war with Russia—in pursuit of a strong and public demonstration of American support. That is especially true in this particular case. The decision to grant or withhold an Oval Office meeting to President Zelensky has profound consequences for the national security interests of both Ukraine and the United States.

To understand the full context of President Trump's corrupt demands to the Ukrainian leader, it is important to consider the geopolitical context—that all of you are very familiar with—confronting the Ukrainian people.

Ukraine is at war with Russia. In 2014, Russia annexed Crimea by force. The United States and other European countries rallied to Ukraine's defense, providing economic assistance, diplomatic support, and later, with strong advocacy from this body, lethal aid. This support meant Russia faced consequences for its aggression.

Here is Ambassador Yovanovitch's testimony explaining just how important the United States is to Ukraine.

(Text of Videotape presentation:)

Amb. YOVANOVITCH. The U.S. relationship for Ukraine is the single most important relationship, and so I think that President Zelensky, any president, would do what they could to lean in on a favor request. I'm not saying that that's a yes, I'm saying they would try to lean in and see what they could do.

Mr. GOLDMAN. Fair to say that a president of Ukraine that is so dependent on the United States would do just about anything within his power to please the president of the United States if he could?

Amb. YOVANOVITCH. If he could. I'm sure there are limits, and I understand there were a lot of discussions in the Ukrainian government about all of this, but yeah, we are an important relationship on the security side and on the political side. And so, the president of Ukraine, one of the most important functions that individual has is to make sure the relationship with the U.S. is rock solid.

Mr. Manager JEFFRIES. But it isn't just the relationship itself. It was a public meeting in the White House that would show U.S. support for Ukraine.

A meeting with the President of the United States in the Oval Office is one of the most forceful diplomatic signals of support that the United States can send.

Veteran diplomat George Kent testified to this.

(Text of Videotape presentation:)

Mr. KENT. New leaders, particularly countries that are trying to have good footing in the international arena, see a meeting with the US president in the Oval Office at the White House as the ultimate sign of endorsement and support from the United States.

Mr. Manager JEFFRIES. President Zelensky was a newly elected leader. He was swept into office on the pledge to end pervasive corruption. He also had a mandate to negotiate an end to the war with Russia. To achieve both goals, he needed strong U.S. support, particularly from President Trump, which Zelensky sought in the form of a White House meeting.

David Holmes, political counselor to the Embassy in Kyiv, described the particular importance of a White House visit to Ukraine in the context of its war with Russia.

(Text of Videotape presentation:)

Mr. HOLMES. It is important to understand that a White House visit was critical to President Zelensky. President Zelensky needed to show U.S. support at the highest levels in order to demonstrate to Russian President Putin that he had U.S. backing, as well as to advance his ambitious anticorruption agenda at home.

Mr. Manager JEFFRIES. In other words, Ukraine knew that Russia was watching carefully.

That was particularly true in the spring of 2019, when Donald Trump launched the scheme at the center of the abuse of power charge.

During this time period, Vladimir Putin was preparing for peace negotiations with the new Ukrainian leader. Putin could choose to escalate or he could choose to deescalate Russian aggression. And influencing his decision was an assessment of whether President Trump had Ukraine's back.

(Text of Videotape presentation.)

Amb. TAYLOR. The Russians, as I said in my deposition, ''would love to see the humiliation of President Zelensky at the hands of the Americans.''

Mr. Manager JEFFRIES. An Oval Office meeting would have sent a strong signal of support that President Trump had Ukraine's back. The absence of such a meeting could be devastating. Indeed, Ukraine made very clear to the United States just how important a White House meeting between the two heads of State was for its fragile democracy.

At the deposition, as the one on the screen reveals, LTC Alexander Vindman, the director for Ukraine on the National Security Council, recalled that following President Zelensky's inauguration, at every single meeting with Ukrainian officials, they asked their American counterparts about the status of an Oval Office meeting between the two Presidents.

Initially, the Ukrainians had reason to be optimistic that a White House meeting would be promptly scheduled. On April 21, during President Zelensky's first call with President Trump, the new Ukrainian leader asked about a White House visit three times. As part of that brief congratulatory call, President Trump himself did extend an invitation. Ukraine's dependence on the United States and its desperate need for a White House meeting created an unequal power dynamic between the two Presidents.

As Lieutenant Colonel Vindman testified, it is that unequal power dynamic that turned any subsequent request for a favor from the President into a demand.

(Text of Videotape presentation:)

The CHAIRMAN. Colonel, you've described this as a demand, this favor that the President asked. What is it about the relationship between the President of the United States and the President of Ukraine that leads you to conclude that when the President of the United States asks a favor like this, it's really a demand?

Lieutenant Colonel VINDMAN. Chairman, the culture I come from, the military culture, when a senior asks you to do something, even if it's polite and pleasant, it's not—it's not to be taken as a request, it's to be taken as an order.

In this case, the power disparity between the two leaders, my impression is that, in order to get the White House meeting, President Zelensky would have to deliver these investigations.

Mr. Manager JEFFRIES. Ambassador Gordon Sondland, Trump appointee, also acknowledged the importance of this power disparity and how it made President Zelensky eager to satisfy President Trump's wishes.

(Text of Videotape presentation:)

Mr. GOLDMAN. Holmes then said that he heard President Trump ask, quote, ''is he,'' meaning Zelensky, ''going to do the investigation?'' To which you replied, ''he's going to do it.'' And then you added that President Zelensky will do anything that you, meaning President Trump, ask him to. Do you recall that?

Ambassador SONDLAND. I probably said something to that effect because I remember the meeting—the President—or President Zelensky was very—''solicitous'' is not a good word. He was just very willing to work with the United States and was being very amicable. And so putting it in Trump speak by saying he loves your ass, he'll do whatever you want, meant that he would really work with us on a whole host of issues.

Mr. GOLDMAN. He was not only willing. He was very eager, right?

Ambassador SONDLAND. That's fair.

Mr. GOLDMAN. Because Ukraine depends on the United States as its most significant ally. Isn't that correct?

Ambassador SONDLAND. One of its most, absolutely.

Mr. Manager JEFFRIES. In other words, any request President Trump made to Ukraine would be difficult to refuse.

So when President Trump asked Ukraine to investigate Joe Biden, as well as the wild conspiracy theory about the 2016 election, those were absolutely interpreted by President Zelensky and his staff as a demand.

And that is where the White House meeting enters into the equation. When Ukraine did not immediately cave to Rudy Giuliani in the spring and announce the phony investigations, President Trump ratcheted up the pressure. As leverage, he chose the White House meeting he dangled during his April 21 call, precisely because President Trump knew how important the meeting was to Ukraine.

Following their visit to Kyiv for the new Ukrainian leader's inauguration, Ambassador Sondland, Ambassador Volker, and Secretary Perry met with President Trump, and each of them encouraged the President to schedule the meeting. Here is what Ambassador Sondland had to say.

(Text of Videotape presentation:)

Amb. SONDLAND. We advised the president of the strategic importance of Ukraine and the value of strengthening the relationship with President Zelensky. To support this reformer, we asked the White House for two things. First, a working phone call between Presidents Trump and Zelensky, and second, a working oval office visit. In our view, both were vital to cementing the US-Ukraine relationship, demonstrating support for Ukraine in the face of Russian aggression and advancing broader US foreign policy interests.

Mr. Manager JEFFRIES. So even though this meeting was critical to both Ukraine and America, President Trump ignored all of his policy advisers and expressed reluctance to meet with the new Ukrainian President. He refused to schedule an actual date.

He claimed that Ukraine ''tried to take me down'' in 2016 and directed that three U.S. officials ''talk to Rudy.'' And even though on May 29 the President signed a letter reiterating his earlier invitation for President Zelensky to visit the White House, he still did not specify a date.

But then President Trump went further. He met with Ukraine's adversary, Ukraine's enemy, our enemy. President Trump met with Russia.

This didn't go unnoticed. Ukrainian officials became concerned when President Trump scheduled that face-to-face meeting with Vladimir Putin at the G20 summit in Japan on June 28.

Mr. Holmes testified on this particular point and the troubling signal that meeting sent to our friend, to our ally, Ukraine.

(Text of Videotape presentation:)

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

Mr. Manager JEFFRIES. Now, let's discuss how exactly President Trump used the withholding of the White House meeting to pressure Ukraine for his phony investigations—his quid pro quo scheme.

It is important to understand that the pressure exerted on Ukraine by delaying the White House meeting didn't just occur right before the July 25 call. That pressure existed during the entire scheme, and it continues to this day.

We know this from the efforts of administration officials to secure the meeting and from the Ukrainians continuously trying to lock down a date.

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 monthslong 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 horribles 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 Andrey—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 interagency 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 Yanukovych. 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 nonpartisan 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 antitank 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 President 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 context 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 withheld 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 hearing 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 mulligan 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.