

United States Department of State

Washington, D.C. 20520

October 16, 2019

Mr. Robert Luskin
Paul Hastings LLP
875 15th Street NW
Washington, DC 20005

Dear Mr. Luskin:

We write in light of recent developments to follow up on the letter that the Department of State sent to you, on behalf of your client Ambassador Sondland, on October 7, 2019. As you know, on October 8, 2019, Counsel to the President Pat Cipollone sent the attached letter to the Speaker of the House, Chairman Schiff, Chairman Engel, and Chairman Cummings concerning various demands made by three House Committees as part of the so-called "impeachment inquiry." In that letter, Mr. Cipollone identified procedural, legal, and constitutional infirmities in the process by which the Committees have purported to pursue an impeachment inquiry, including the fact that the Committees have refused to allow a lawyer from the State Department to be present to safeguard legitimate Executive Branch interests.

We understand that your client intends to appear tomorrow for a deposition before the Committees. Any such appearance would not relieve your client of his legal obligations to protect classified information and potentially privileged communications, in particular Presidential communications. The confidential communications between your client and foreign government officials may be classified and may be subject to claims of privilege. The President's position on the protection of information related to foreign policy and national security is guided by longstanding, bipartisan precedent established as early as the first presidential administration.¹ As Attorney General Reno explained during the Clinton Administration:

History is replete with examples of the Executive's refusal to produce to Congress diplomatic communications and related documents because of the prejudicial impact such disclosure could have on the President's ability to conduct foreign relations. It is equally well established that executive privilege applies to

¹ See *History of Refusals by Executive Branch Officials to Provide Information Demanded by Congress*, 6 Op. O.L.C. 751, 753 (1982) (noting that in response to a request for documents relating to negotiation of the Jay Treaty with Great Britain, President Washington sent a letter to Congress stating, "[t]o admit, then, a right in the House of Representatives to demand, and to have, as a matter of course, all the papers respecting a negotiation with a foreign Power, would be to establish a dangerous precedent.") (citation omitted).

communications to and from the President and Vice President and to White House and NSC deliberative communications.²

In addition, the Department's internal communications, or those with other Executive Branch officials, related to foreign affairs may be classified and privileged. Without an opportunity for the Department to review the information that may be disclosed to the Committees by your client, your client is not authorized to reveal or release any information subject to executive privilege, and no classified information may be disclosed in the absence of the required safeguards necessary to ensure its protections. In particular, while serving at his mission, your client is the personal representative of the President of the United States, and as such, entrusted with the most important and sensitive communications related to the conduct of foreign affairs, including Presidential communications. None of such communications may be disclosed to the Committees without prior consultation with the Executive Branch.

Finally, with respect to the Committees' request to your client for documents that constitute official State Department records, we appreciate the acknowledgement that you have provided that, in the absence of an opportunity for the Department to review such documents, your client is not authorized to disclose to Congress any records relating to official duties. As stated in the October 1, 2019, letter from Secretary Pompeo to the Chairmen of three Committees, "the requested records constitute the property of the Department of State and are subject to restrictions on the unauthorized disclosure of classified information and various Executive Branch privileges." See 5 FAM 414.8, 5 FAM 474.1(a) and 12 FAM 543. Moreover, these document requests duplicate the subpoena that was previously served on the Secretary. The Department is the legal custodian of these records and is responsible for determining whether and what to produce in response to the subpoena. The Department is in the process of collecting such records and will respond to the Committees, as appropriate and consistent with Mr. Cipollone's letter.

Please contact us if you have any further questions or would like to discuss this matter further.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Brian Bulatao". The signature is written in a cursive style with some loops and flourishes.

Brian Bulatao
Undersecretary of State

² *Foreign Affairs with Respect to Haiti*, 20 Op. O.L.C. 5, 6 (1996).

THE WHITE HOUSE

WASHINGTON

October 8, 2019

The Honorable Nancy Pelosi
Speaker
House of Representatives
Washington, D.C. 20515

The Honorable Adam B. Schiff
Chairman
House Permanent Select Committee on
Intelligence
Washington, D.C. 20515

The Honorable Eliot L. Engel
Chairman
House Foreign Affairs Committee
Washington, D.C. 20515

The Honorable Elijah E. Cummings
Chairman
House Committee on Oversight and Reform
Washington, D.C. 20515

Dear Madam Speaker and Messrs. Chairmen:

I write on behalf of President Donald J. Trump in response to your numerous, legally unsupported demands made as part of what you have labeled—contrary to the Constitution of the United States and all past bipartisan precedent—as an “impeachment inquiry.” As you know, you have designed and implemented your inquiry in a manner that violates fundamental fairness and constitutionally mandated due process.

For example, you have denied the President the right to cross-examine witnesses, to call witnesses, to receive transcripts of testimony, to have access to evidence, to have counsel present, and many other basic rights guaranteed to all Americans. You have conducted your proceedings in secret. You have violated civil liberties and the separation of powers by threatening Executive Branch officials, claiming that you will seek to punish those who exercise fundamental constitutional rights and prerogatives. All of this violates the Constitution, the rule of law, and *every past precedent*. Never before in our history has the House of Representatives—under the control of either political party—taken the American people down the dangerous path you seem determined to pursue.

Put simply, you seek to overturn the results of the 2016 election and deprive the American people of the President they have freely chosen. Many Democrats now apparently view impeachment not only as a means to undo the democratic results of the *last* election, but as a strategy to influence the *next* election, which is barely more than a year away. As one member of Congress explained, he is “concerned that if we don’t impeach the President, he will get reelected.”¹ Your highly partisan and unconstitutional effort threatens grave and lasting damage to our democratic institutions, to our system of free elections, and to the American people.

¹ Interview with Rep. Al Green, MSNBC (May 5, 2019).

For his part, President Trump took the unprecedented step of providing the public transparency by declassifying and releasing the record of his call with President Zelenskyy of Ukraine. The record clearly established that the call was completely appropriate and that there is no basis for your inquiry. The fact that there was nothing wrong with the call was also powerfully confirmed by Chairman Schiff's decision to create a false version of the call and read it to the American people at a congressional hearing, without disclosing that he was simply making it all up.

In addition, information has recently come to light that the whistleblower had contact with Chairman Schiff's office before filing the complaint. His initial denial of such contact caused *The Washington Post* to conclude that Chairman Schiff "clearly made a statement that was false."² In any event, the American people understand that Chairman Schiff cannot covertly assist with the submission of a complaint, mislead the public about his involvement, read a counterfeit version of the call to the American people, and then pretend to sit in judgment as a neutral "investigator."

For these reasons, President Trump and his Administration reject your baseless, unconstitutional efforts to overturn the democratic process. Your unprecedented actions have left the President with no choice. In order to fulfill his duties to the American people, the Constitution, the Executive Branch, and all future occupants of the Office of the Presidency, President Trump and his Administration cannot participate in your partisan and unconstitutional inquiry under these circumstances.

I. Your "Inquiry" Is Constitutionally Invalid and Violates Basic Due Process Rights and the Separation of Powers.

Your inquiry is constitutionally invalid and a violation of due process. In the history of our Nation, the House of Representatives has never attempted to launch an impeachment inquiry against the President without a majority of the House taking political accountability for that decision by voting to authorize such a dramatic constitutional step. Here, House leadership claims to have initiated the gravest inter-branch conflict contemplated under our Constitution by means of nothing more than a press conference at which the Speaker of the House simply announced an "official impeachment inquiry."³ Your contrived process is unprecedented in the

² Glenn Kessler, *Schiff's False Claim His Committee Had Not Spoken to the Whistleblower*, Wash. Post (Oct. 4, 2019).

³ Press Release, Nancy Pelosi, *Pelosi Remarks Announcing Impeachment Inquiry* (Sept. 24, 2019).

history of the Nation,⁴ and lacks the necessary authorization for a valid impeachment proceeding.⁵

The Committees' inquiry also suffers from a separate, fatal defect. Despite Speaker Pelosi's commitment to "treat the President with fairness,"⁶ the Committees have not established any procedures affording the President even the most basic protections demanded by due process under the Constitution and by fundamental fairness. Chairman Nadler of the House Judiciary Committee has expressly acknowledged, at least when the President was a member of his own party, that "[t]he power of impeachment . . . demands a rigorous level of due process," and that in this context "due process mean[s] . . . the right to be informed of the law, of the charges against you, the right to confront the witnesses against you, to call your own witnesses, and to have the assistance of counsel."⁷ All of these procedures have been abandoned here.

These due process rights are not a matter of discretion for the Committees to dispense with at will. To the contrary, they are constitutional requirements. The Supreme Court has recognized that due process protections apply to all congressional investigations.⁸ Indeed, it has been recognized that the Due Process Clause applies to impeachment proceedings.⁹ And precedent for the rights to cross-examine witnesses, call witnesses, and present evidence dates back nearly 150 years.¹⁰ Yet the Committees have decided to deny the President these elementary rights and protections that form the basis of the American justice system and are protected by the Constitution. No citizen—including the President—should be treated this unfairly.

⁴ Since the Founding of the Republic, under unbroken practice, the House has never undertaken the solemn responsibility of an impeachment inquiry directed at the President without first adopting a resolution authorizing a committee to begin the inquiry. The inquiries into the impeachments of Presidents Andrew Johnson and Bill Clinton proceeded in multiple phases, each authorized by a separate House resolution. See, e.g., H.R. Res. 581, 105th Cong. (1998); H.R. Res. 525, 105th Cong. (1998); III Hinds' Precedents §§ 2400-02, 2408, 2412. And before the Judiciary Committee initiated an impeachment inquiry into President Richard Nixon, the Committee's chairman rightfully recognized that "a[n] [inquiry] resolution has always been passed by the House" and "is a necessary step." III Deschler's Precedents ch. 14, § 15.2. The House then satisfied that requirement by adopting H.R. Res. 803, 93rd Cong. (1974).

⁵ Chairman Nadler has recognized the importance of taking a vote in the House before beginning a presidential impeachment inquiry. At the outset of the Clinton impeachment inquiry—where a floor vote was held—he argued that even limiting the time for *debate* before that vote was improper and that "an hour debate on this momentous decision is an insult to the American people and another sign that this is not going to be fair." 144 Cong. Rec. H10018 (daily ed. Oct. 8, 1998) (statement of Rep. Jerrold Nadler). Here, the House has dispensed with any vote and any debate *at all*.

⁶ Press Release, Nancy Pelosi, Transcript of Pelosi Weekly Press Conference Today (Oct. 2, 2019).

⁷ *Examining the Allegations of Misconduct Against IRS Commissioner John Koskinen (Part II): Hearing Before the H. Comm. on the Judiciary*, 114th Cong. 3 (2016) (statement of Rep. Jerrold Nadler); *Background and History of Impeachment: Hearing Before the Subcomm. on the Constitution of the H. Comm. on the Judiciary*, 105th Cong. 17 (1998) (statement of Rep. Jerrold Nadler).

⁸ See, e.g., *Watkins v. United States*, 354 U.S. 178, 188 (1957); *Quinn v. United States*, 349 U.S. 155, 161 (1955).

⁹ See *Hastings v. United States*, 802 F. Supp. 490, 504 (D.D.C. 1992), *vacated on other grounds by Hastings v. United States*, 988 F.2d 1280 (D.C. Cir. 1993).

¹⁰ See, e.g., III Hinds' Precedents § 2445.

To comply with the Constitution's demands, appropriate procedures would include—at a minimum—the right to see all evidence, to present evidence, to call witnesses, to have counsel present at all hearings, to cross-examine all witnesses, to make objections relating to the examination of witnesses or the admissibility of testimony and evidence, and to respond to evidence and testimony. Likewise, the Committees must provide for the disclosure of all evidence favorable to the President and all evidence bearing on the credibility of witnesses called to testify in the inquiry. The Committees' current procedures provide *none* of these basic constitutional rights.

In addition, the House has not provided the Committees' Ranking Members with the authority to issue subpoenas. The right of the minority to issue subpoenas—subject to the same rules as the majority—has been the standard, bipartisan practice in all recent resolutions authorizing presidential impeachment inquiries.¹¹ The House's failure to provide co-equal subpoena power in this case ensures that any inquiry will be nothing more than a one-sided effort by House Democrats to gather information favorable to their views and to selectively release it as only they determine. The House's utter disregard for the established procedural safeguards followed in past impeachment inquiries shows that the current proceedings are nothing more than an unconstitutional exercise in political theater.

As if denying the President basic procedural protections were not enough, the Committees have also resorted to threats and intimidation against potential Executive Branch witnesses. Threats by the Committees against Executive Branch witnesses who assert common and longstanding rights destroy the integrity of the process and brazenly violate fundamental due process. In letters to State Department employees, the Committees have ominously threatened—without any legal basis and before the Committees even issued a subpoena—that “[a]ny failure to appear” in response to a mere letter *request* for a deposition “shall constitute evidence of obstruction.”¹² Worse, the Committees have broadly threatened that if State Department officials attempt to insist upon the right for the Department to have an agency lawyer present at depositions to protect legitimate Executive Branch confidentiality interests—or apparently if they make any effort to protect those confidentiality interests *at all*—these officials will have their salaries withheld.¹³

The suggestion that it would somehow be problematic for anyone to raise long-established Executive Branch confidentiality interests and privileges in response to a request for a deposition is legally unfounded. Not surprisingly, the Office of Legal Counsel at the Department of Justice has made clear on multiple occasions that employees of the Executive Branch who have been instructed not to appear or not to provide particular testimony before Congress based on privileges or immunities of the Executive Branch cannot be punished for

¹¹ H.R. Res. 581, 105th Cong. (1998); H.R. Res. 803, 93rd Cong. (1974).

¹² Letter from Elliot L. Engel, Chairman, House Committee on Foreign Affairs, et al., to George P. Kent, Deputy Assistant Secretary, U.S. Department of State 1 (Sept. 27, 2019).

¹³ See Letter from Elliot L. Engel, Chairman, House Committee on Foreign Affairs, et al., to John J. Sullivan, Deputy Secretary of State 2-3 (Oct. 1, 2019).

following such instructions.¹⁴ Current and former State Department officials are duty bound to protect the confidentiality interests of the Executive Branch, and the Office of Legal Counsel has also recognized that it is unconstitutional to exclude agency counsel from participating in congressional depositions.¹⁵ In addition, any attempt to withhold an official's salary for the assertion of such interests would be unprecedented and unconstitutional.¹⁶ The Committees' assertions on these points amount to nothing more than strong-arm tactics designed to rush proceedings without any regard for due process and the rights of individuals and of the Executive Branch. Threats aimed at intimidating individuals who assert these basic rights are attacks on civil liberties that should profoundly concern all Americans.

II. The Invalid "Impeachment Inquiry" Plainly Seeks To Reverse the Election of 2016 and To Influence the Election of 2020.

The effort to impeach President Trump—without regard to any evidence of his actions in office—is a naked political strategy that began the day he was inaugurated, and perhaps even before.¹⁷ In fact, your transparent rush to judgment, lack of democratically accountable authorization, and violation of basic rights in the current proceedings make clear the illegitimate, partisan purpose of this purported "impeachment inquiry." The Founders, however, did not create the extraordinary mechanism of impeachment so it could be used by a political party that feared for its prospects against the sitting President in the next election. The decision as to who will be elected President in 2020 should rest with the people of the United States, exactly where the Constitution places it.

Democrats themselves used to recognize the dire implications of impeachment for the Nation. For example, in the past, Chairman Nadler has explained:

The effect of impeachment is to overturn the popular will of the voters. We must not overturn an election and remove a President from office except to defend our system of government or our constitutional liberties against a dire threat, and we must not do so without an overwhelming consensus of the American people. There must never be a narrowly voted impeachment or an impeachment supported by one of our major political parties and opposed by another. Such an impeachment will produce divisiveness and bitterness in our

¹⁴ See, e.g., *Testimonial Immunity Before Congress of the Former Counsel to the President*, 43 Op. O.L.C. __, *19 (May 20, 2019); *Prosecution for Contempt of Congress of an Executive Branch Official Who Has Asserted a Claim of Executive Privilege*, 8 Op. O.L.C. 101, 102, 140 (1984) ("The Executive, however, must be free from the threat of criminal prosecution if its right to assert executive privilege is to have any practical substance.")

¹⁵ *Attempted Exclusion of Agency Counsel from Congressional Depositions of Agency Employees*, 43 Op. O.L.C. __, *1-2 (May 23, 2019).

¹⁶ See President Donald J. Trump, Statement by the President on Signing the Consolidated Appropriations Act, 2019 (Feb. 15, 2019); *Authority of Agency Officials To Prohibit Employees From Providing Information to Congress*, 28 Op. O.L.C. 79, 80 (2004).

¹⁷ See Matea Gold, *The Campaign To Impeach President Trump Has Begun*, Wash. Post (Jan. 21, 2017) ("At the moment the new commander in chief was sworn in, a campaign to build public support for his impeachment went live . . .").

politics for years to come, and will call into question the very legitimacy of our political institutions.¹⁸

Unfortunately, the President's political opponents now seem eager to transform impeachment from an extraordinary remedy that should rarely be contemplated into a conventional political weapon to be deployed for partisan gain. These actions are a far cry from what our Founders envisioned when they vested Congress with the "important trust" of considering impeachment.¹⁹ Precisely because it nullifies the outcome of the democratic process, impeachment of the President is fraught with the risk of deepening divisions in the country and creating long-lasting rifts in the body politic.²⁰ Unfortunately, you are now playing out exactly the partisan rush to judgment that the Founders so strongly warned against. The American people deserve much better than this.

III. There Is No Legitimate Basis for Your "Impeachment Inquiry"; Instead, the Committees' Actions Raise Serious Questions.

It is transparent that you have resorted to such unprecedented and unconstitutional procedures because you know that a fair process would expose the lack of any basis for your inquiry. Your current effort is founded on a completely appropriate call on July 25, 2019, between President Trump and President Zelenskyy of Ukraine. Without waiting to see what was actually said on the call, a press conference was held announcing an "impeachment inquiry" based on falsehoods and misinformation about the call.²¹ To rebut those falsehoods, and to provide transparency to the American people, President Trump secured agreement from the Government of Ukraine and took the extraordinary step of declassifying and publicly releasing the record of the call. That record clearly established that the call was completely appropriate, that the President did nothing wrong, and that there is no basis for an impeachment inquiry. At a joint press conference shortly after the call's public release, President Zelenskyy agreed that the call was appropriate.²² In addition, the Department of Justice announced that officials there had reviewed the call after a referral for an alleged campaign finance law violation and found no such violation.²³

Perhaps the best evidence that there was no wrongdoing on the call is the fact that, after the actual record of the call was released, Chairman Schiff chose to concoct a false version of the call and to read his made-up transcript to the American people at a public hearing.²⁴ This

¹⁸ 144 Cong. Rec. H1 1786 (daily ed. Dec. 18, 1998) (statement of Rep. Jerrold Nadler).

¹⁹ The Federalist No. 65 (Alexander Hamilton).

²⁰ See *id.*

²¹ Press Release, Nancy Pelosi, Pelosi Remarks Announcing Impeachment Inquiry (Sept. 24, 2019).

²² *President Trump Meeting with Ukrainian President*, C-SPAN (Sept. 25, 2019).

²³ Statement of Kerri Kupec, Director, Office of Public Affairs, Dept. of Justice (Sept. 25, 2019) ("[T]he Department's Criminal Division reviewed the official record of the call and determined, based on the facts and applicable law, that there was no campaign finance violation and that no further action was warranted."):

²⁴ See *Whistleblower Disclosure: Hearing Before the H. Select Comm. on Intel.*, 116th Cong. (Sept. 26, 2019) (statement of Rep. Adam Schiff).

powerfully confirms there is no issue with the actual call. Otherwise, why would Chairman Schiff feel the need to make up his own version? The Chairman's action only further undermines the public's confidence in the fairness of any inquiry before his Committee.

The real problem, as we are now learning, is that Chairman Schiff's office, and perhaps others—despite initial denials—were involved in advising the whistleblower before the complaint was filed. Initially, when asked on national television about interactions with the whistleblower, Chairman Schiff unequivocally stated that “[w]e have not spoken directly with the whistleblower. We would like to.”²⁵

Now, however, it has been reported that the whistleblower approached the House Intelligence Committee with information—and received guidance from the Committee—*before* filing a complaint with the Inspector General.²⁶ As a result, *The Washington Post* concluded that Chairman Schiff “clearly made a statement that was false.”²⁷ Anyone who was involved in the preparation or submission of the whistleblower's complaint cannot possibly act as a fair and impartial judge in the same matter—particularly after misleading the American people about his involvement.

All of this raises serious questions that must be investigated. However, the Committees are preventing anyone, including the minority, from looking into these critically important matters. At the very least, Chairman Schiff must immediately make available all documents relating to these issues. After all, the American people have a right to know about the Committees' own actions with respect to these matters.

* * *

Given that your inquiry lacks any legitimate constitutional foundation, any pretense of fairness, or even the most elementary due process protections, the Executive Branch cannot be expected to participate in it. Because participating in this inquiry under the current unconstitutional posture would inflict lasting institutional harm on the Executive Branch and lasting damage to the separation of powers, you have left the President no choice. Consistent with the duties of the President of the United States, and in particular his obligation to preserve the rights of future occupants of his office, President Trump cannot permit his Administration to participate in this partisan inquiry under these circumstances.

Your recent letter to the Acting White House Chief of Staff argues that “[e]ven if an impeachment inquiry were not underway,” the Oversight Committee may seek this information

²⁵ Interview with Chairman Adam Schiff, MSNBC (Sept. 17, 2019).

²⁶ Julian Barnes, et al., *Schiff Got Early Account of Accusations as Whistle-Blower's Concerns Grew*, N.Y. Times (Oct. 2, 2019).

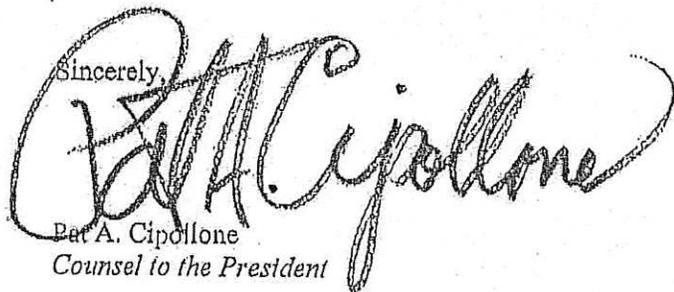
²⁷ Glenn Kessler, *Schiff's False Claim His Committee Had Not Spoken to the Whistleblower*, Wash. Post (Oct. 4, 2019).

Speaker Pelosi, and Chairmen Engel, Schiff, and
Cummings
Page 8

as a matter of the established oversight process.²⁸ Respectfully, the Committees cannot have it both ways. The letter comes from the Chairmen of three different Committees, it transmits a subpoena “[p]ursuant to the House of Representatives’ impeachment inquiry,” it recites that the documents will “be collected as part of the House’s impeachment inquiry,” and it asserts that the documents will be “shared among the Committees, as well as with the Committee on the Judiciary as appropriate.”²⁹ The letter is in no way directed at collecting information in aid of legislation, and you simply cannot expect to rely on oversight authority to gather information for an unauthorized impeachment inquiry that conflicts with all historical precedent and rides roughshod over due process and the separation of powers. If the Committees wish to return to the regular order of oversight requests, we stand ready to engage in that process as we have in the past, in a manner consistent with well-established bipartisan constitutional protections and a respect for the separation of powers enshrined in our Constitution.

For the foregoing reasons, the President cannot allow your constitutionally illegitimate proceedings to distract him and those in the Executive Branch from their work on behalf of the American people. The President has a country to lead. The American people elected him to do this job, and he remains focused on fulfilling his promises to the American people. He has important work that he must continue on their behalf, both at home and around the world, including continuing strong economic growth, extending historically low levels of unemployment, negotiating trade deals, fixing our broken immigration system, lowering prescription drug prices, and addressing mass shooting violence. We hope that, in light of the many deficiencies we have identified in your proceedings, you will abandon the current invalid efforts to pursue an impeachment inquiry and join the President in focusing on the many important goals that matter to the American people.

Sincerely,



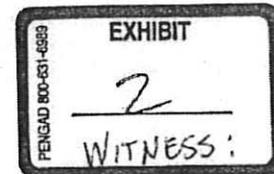
Pat A. Cipollone
Counsel to the President

cc: Hon. Kevin McCarthy, Minority Leader, House of Representatives
Hon. Michael McCaul, Ranking Member, House Committee on Foreign Affairs
Hon. Devin Nunes, Ranking Member, House Permanent Select Committee on
Intelligence
Hon. Jim Jordan, Ranking Member, House Committee on Oversight and Reform

²⁸ Letter from Elijah E. Cummings, Chairman, House Committee on Oversight and Government Reform, et al., to John Michael Mulvaney, Acting Chief of Staff to the President 3 (Oct. 4, 2019).

²⁹ *Id.* at 1.

PAUL HASTINGS



October 17, 2019

Adam B. Schiff
Chairman
Permanent Select Committee on Intelligence
United States House of Representatives
Washington, DC 20515

Elijah E. Cummings
Chairman
Committee on Oversight and Reform
United States House of Representatives
Washington, DC 20515

Eliot L. Engel
Chairman
Committee on Foreign Affairs
United States House of Representatives
Washington, DC 20515

Re: Document Subpoena

Dear Chairmen Schiff, Cummings, and Engel:

I write in response to your letter dated October 14, 2019, regarding the subpoena issued to Ambassador Gordon Sondland by the House Committees.

As we have discussed, all of the responsive documents you have requested are federal records under the Federal Records Act. *See* 44 U.S.C. §3301. Ambassador Sondland has taken pains to ensure that all potentially responsive documents, regardless of the device or platform on which they were created, have been turned over to the State Department in accordance with applicable regulations. These records are in the possession, custody, and control of the State Department. Under law and the State Department regulations, Ambassador Sondland is precluded, in his personal capacity, from producing these official records. Respectfully, therefore, Ambassador Sondland cannot comply with the Committees' document requests.

The State Department has asserted that disclosure of these materials may implicate executive privilege, confidentiality, and other constitutional interests of the executive branch. On that basis and others, the State Department has directed Ambassador Sondland and other similarly situated employees not to provide documents without State Department's approval. *See* Letter from Michael R. Pompeo, Secretary of State, to Eliot L. Engel, Chairman, United States House of Representatives Committee on Foreign Affairs (Oct. 1, 2019); Letter from Brian Bulatao, Under Secretary of State, State Department, to Robert Luskin, Attorney, Paul Hastings (Oct. 16, 2019); *see also* 12 FAM 543(c) (requiring State Department employees to "be sure that [any]

Letter to House Committees
October 17, 2019
Page 2

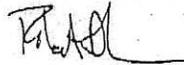
distribution [of non-classified sensitive business information] is permissible and, when required, specifically authorized”).

The White House has also taken the view that “[i]t is not up to an individual employee or former employee to undertake that analysis herself and to disclose privileged information based on her own individual assessments.” Letter from Michael M. Purpura, Deputy Counsel, White House, to Lee S. Wolosky, Boies Schiller Flexner LLP (October 14, 2019).

As a matter of law, Ambassador Sondland is not free to substitute his views on this matter for those of his employer, the State Department. The courts have consistently affirmed the view that the Executive and Legislative branches should resolve any such disclosure issues among themselves. See *United States v. American Tel. & Tel. Co.*, 567 F.2d 121 (D.C. Cir. 1977); *Comm. on the Judiciary v. Miers*, 558 F. Supp. 2d 53, 57 (D.D.C. 2008) (“strongly encourage[ing] the political branches to resume their discourse and negotiations in an effort to resolve their differences constructively”).

Ambassador Sondland has encouraged the State Department to provide the Committees with the requested documents in advance of his deposition. He strongly believes that disclosure will lead to a more fulsome and accurate inquiry into the matters at issue and will corroborate the testimony that he will give in key respects. However, the choice is not his to make, and so we must regretfully decline to produce the documents that the Committees have requested from Ambassador Sondland.

Sincerely,



Robert D. Luskin
Kwame J. Manley

PAUL HASTINGS LLP

2020

Who's Running State of the Race Politics Newsletter Mapping the Money Election Calendar

Rudy Giuliani Plans Ukraine Trip to Push for Inquiries That Could Help Trump

By Kenneth P. Vogel

May 9, 2019

WASHINGTON — Rudolph W. Giuliani, President Trump's personal lawyer, is encouraging Ukraine to wade further into sensitive political issues in the United States, seeking to push the incoming government in Kiev to press ahead with investigations that he hopes will benefit Mr. Trump.

Mr. Giuliani said he plans to travel to Kiev, the Ukrainian capital, in the coming days and wants to meet with the nation's president-elect to urge him to pursue inquiries that allies of the White House contend could yield new information about two matters of intense interest to Mr. Trump.

One is the origin of the special counsel's investigation into Russia's interference in the 2016 election. The other is the involvement of former Vice President Joseph R. Biden Jr.'s son in a gas company owned by a Ukrainian oligarch.

Mr. Giuliani's plans create the remarkable scene of a lawyer for the president of the United States pressing a foreign government to pursue investigations that Mr. Trump's allies hope could help him in his re-election campaign. And it comes after Mr. Trump spent more than half of his term facing questions about whether his 2016 campaign conspired with a foreign power.

"We're not meddling in an election, we're meddling in an investigation, which we have a right to do," Mr. Giuliani said in an interview on Thursday when asked about the parallel to the special counsel's inquiry.

"There's nothing illegal about it," he said. "Somebody could say it's improper. And this isn't foreign policy — I'm asking them to do an investigation that they're doing already and that other people are telling them to stop. And I'm going to give them reasons why they shouldn't stop it because that information will be very, very helpful to my client, and may turn out to be helpful to my government."

Mr. Giuliani's planned trip, which has not been previously reported, is part of a monthslong effort by the former New York mayor and a small group of Trump allies working to build interest in the Ukrainian inquiries. Their motivation is to try to discredit the special counsel's investigation; undermine the case against Paul Manafort, Mr. Trump's imprisoned former campaign chairman; and potentially to damage Mr. Biden, the early front-runner for the 2020 Democratic presidential nomination.

The investigations had been opened by Ukrainian prosecutors serving during the term of the country's current president, Petro O. Poroshenko. He lost his re-election bid last month to Volodymyr Zelensky, a comedian and political newcomer. Mr. Zelensky has said he would like to replace the prosecutor who oversaw some of the matters, Yuriy Lutsenko, who has met multiple times with Mr. Giuliani to discuss the issues.

Mr. Zelensky is set to take office on June 3.

Mr. Giuliani said he had been planning for several weeks to travel to Kiev to deliver a paid speech to a Jewish group about Middle East policy.



But intermediaries for Mr. Giuliani worked to organize meetings with people who they believed would have insights into the incoming Zelensky administration and the investigations in which Mr. Giuliani was interested. And in recent days, Mr. Giuliani reached out through intermediaries to request a meeting with Mr. Zelensky, he said, adding, "It's not confirmed yet."

If the meeting does occur, Mr. Giuliani said, "I am going to tell him what I know about the people that are surrounding him, and how important it is to do a full, complete and fair investigation."

He said his efforts in Ukraine have the full support of Mr. Trump. He declined to say specifically whether he had briefed him on the planned meeting with Mr. Zelensky, but added, "He basically knows what I'm doing, sure, as his lawyer."

The White House did not immediately respond to a request for comment on Thursday.

Mr. Trump has called attention to the scrutiny of Mr. Biden's son Hunter Biden, and to questions about the former vice president's involvement in the removal of a Ukrainian prosecutor whose office had authority over investigations of the oligarch whose company paid Hunter Biden.

Mr. Trump has also sought to stir up interest in claims that Ukrainian officials tried to benefit Hillary Clinton in 2016 by focusing attention on Mr. Manafort's business in Ukraine. The attention forced Mr. Manafort to resign from the Trump campaign, but allies of the Ukrainian officials involved have denied that they acted improperly to benefit Mrs. Clinton's campaign. Mr. Trump has recently suggested he would like Attorney General William P. Barr to look into the material gathered by the Ukrainian prosecutors.

Mr. Giuliani has been working on the effort with other allies of Mr. Trump whose involvement has not been previously reported, including Victoria Toensing, a lawyer who was named last year, along with her husband, as part of the legal team representing the president in the special counsel's investigation. The appointment was rescinded less than one week later amid concerns about conflicts of interest, but Mr. Trump's legal team suggested that Ms. Toensing and her husband, Joseph E. diGenova, would assist the president "in other legal matters."

On social media and in regular appearances on Fox News, the couple advanced the theory that the special counsel's investigation was the result of a Justice Department effort to frame Mr. Trump. They increasingly began pushing the claim that "the real collusion began in @Ukraine," as Ms. Toensing put it in a post on Twitter in March.

The tweet spotlighted a story in the conservative media in which Mr. Lutsenko, Ukraine's top prosecutor, announced he was opening an investigation into whether Ukrainian officials tried to help Mrs. Clinton during the 2016 presidential election by disseminating documents related to Mr. Manafort's work in Ukraine before 2014.

Ms. Toensing has also met with Mr. Lutsenko, the Ukrainian prosecutor who has pushed the investigations, Mr. Giuliani said. (Mr. Giuliani had previously said that Ms. Toensing was representing Mr. Lutsenko, but after this article published, he said that he had been mistaken.)

Ms. Toensing will accompany Mr. Giuliani to Ukraine, he said, explaining that she was "concerned" for Mr. Lutsenko and wanted the incoming president to "promptly understand what he's trying to do."

Asked about the trip and her interactions with of Mr. Lutsenko, which have not been previously disclosed, she responded, "I'm not going to talk to you about this matter."

Also involved in planning the trip and pushing the investigations is Lev Parnas, a Ukrainian-American businessman who knows Mr. Giuliani well.

Mr. Parnas turned up in Kiev, presenting himself as a representative of Mr. Giuliani seeking information about Mr. Lutsenko's claims, and about Hunter Biden's involvement in the Ukrainian gas company, according to people familiar with Mr. Parnas's activity.

He organized a phone call between Mr. Giuliani and Mr. Lutsenko, as well as a separate call between Mr. Giuliani and Mr. Lutsenko's predecessor in the Ukrainian prosecutor general's office, according to Mr. Giuliani. He said Mr. Parnas also helped arrange a trip to the United States for Mr. Lutsenko in January. During it, the prosecutor met for hours with Mr. Giuliani in New York.

Mr. Parnas is an executive of an energy company that, according to a report in The New York Times, donated \$325,000 to a pro-Trump super PAC last year, prompting a Federal Election Commission complaint by a nonpartisan campaign finance watchdog accusing Mr. Parnas, his business partner and the company of violating campaign finance laws.

A lawyer for Mr. Parnas, who had previously defended the contribution, did not respond to a request for comment about his client's work with Mr. Giuliani in Ukraine.

Mr. Giuliani has done work in Ukraine before, having been hired in 2017 by the Ukrainian-Russian developer Pavel Fuks.

Mr. Giuliani described that work as related to emergency management consulting, but Mr. Fuks said in an interview that he hired Mr. Giuliani as "a lobbyist for Kharkiv and Ukraine" to lure American investors. "This is stated in the contract."

Mr. Giuliani said that work had ended, and that Mr. Fuks had nothing to do with his current efforts.

"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."

Zach Montague contributed reporting.

A version of this article appears in print on May 10, 2019, Section A, Page 1 of the New York edition with the headline: Giuliani Plans to Prod Ukraine In Cases That Might Aid Trump

READ 791 COMMENTS

①



Rudy Giuliani

@RudyGiuliani

Follow

Pay attention to @dbongino for an analysis of some real collusion between Hillary, Kerr and Biden people colluding with Ukrainian operatives to make money and affect 2016 election.

8:38 AM - 22 Mar 2019

11,641 Retweets 33,394 Likes

3.1K 12K 33K



PENGAD 800-631-6989
EXHIBIT
4
MASTERY:

JB



Rudy Giuliani

@RudyGiuliani

Follow

2

Hillary is correct the report is the end of the beginning for the second time..NO COLLUSION. Now Ukraine is investigating Hillary campaign and DNC conspiracy with foreign operatives including Ukrainian and others to affect 2016 election. And there's no Comey to fix the result.

2:17 PM - 23 Apr 2019

11,411 Retweets 31,620 Likes



1.3K 11K 32K

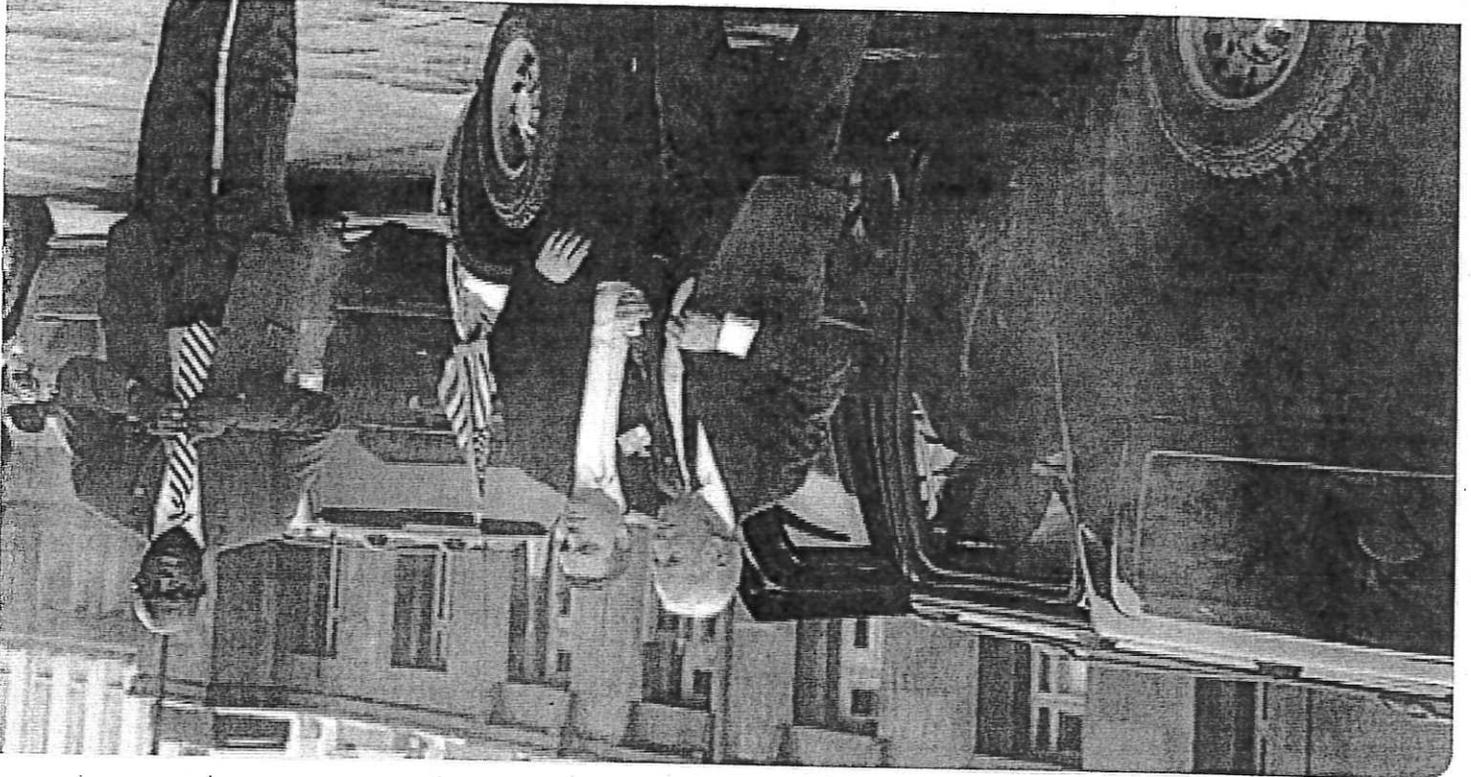
 Rudy Giuliani
@RudyGiuliani

3

Follow

nytimes.com/2019/05/01/us/... via
@nytimes

conflicts are too apparent to be ignored and should be investigated quickly and expeditiously. But the more important question is how deep and how high did the alleged Ukraine conspiracy go?



Biden Faces Conflict of Interest Questions That Are Being Promoted by Trum...
As vice president, Joe Biden played a key role in the dismissal of a Ukrainian prosecutor who had opened an investigation of a company employing Mr. Biden's s...
nytimes.com



Rudy Giuliani

@RudyGiuliani

Follow



Explain to me why Biden shouldn't be investigated if his son got millions from a Russian loving crooked Ukrainian oligarch while He was VP and point man for Ukraine. Ukrainians are investigating and your fellow Dems are interfering. Election is 17 months away. Let's answer it now

4

Chris Murphy @ChrisMurphyCT

I know we've become numb to the corruption of this Administration, but this story should be the total focus of the political class today. The President is openly asking a foreign government to investigate his political rival. This is next level. [nytimes.com/2019/05/09/us/...](https://www.nytimes.com/2019/05/09/us/)

5



Rudy Giuliani
@RudyGiuliani

Follow



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

8:04 AM - 21 Jun 2019 from Queens, NY

5,513 Retweets 13,903 Likes



6



Donald J. Trump
@realDonaldTrump

Follow



Ukrainian efforts to sabotage Trump campaign - "quietly working to boost Clinton." So where is the investigation A.G. @seanhannity

3:03 AM - 25 Jul 2017

15,187 Retweets 52,035 Likes



12K

15K

52K

7



Donald J. Trump
@realDonaldTrump

Follow



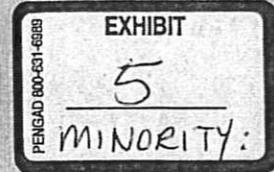
"John Solomon: As Russia Collusion fades,
Ukrainian plot to help Clinton emerges."
@seanhannity @FoxNews

7:40 PM - 20 Mar 2019

24,458 Retweets 82,043 Likes



19K 24K 82K



THE WHITE HOUSE
WASHINGTON
May 29, 2019

His Excellency
Volodymyr Zelenskyy
President of Ukraine
Kyiv

Dear Mr. President,

On the occasion of your inauguration, I wish to offer my congratulations on your historic election victory.

The United States and Ukraine are steadfast partners, working together to realize the shared vision of a stable, prosperous, and democratic Ukraine that is integrated into the Euro-Atlantic community. Our partnership is rooted in the idea that free citizens should be able to exercise their democratic rights, choose their own destiny, and live in peace. As you said in your victory speech, your election demonstrates that democracy is possible anywhere in the former Soviet region. Ukraine's success exemplifies the triumph of democracy over resurgent despotism. United States support for Ukraine's sovereignty and territorial integrity is unwavering.

As you prepare to address the many challenges facing Ukraine, please know that the American people are with you and are committed to helping Ukraine realize its vast potential. To help show that commitment, I would like to invite you to meet with me at the White House in Washington, D.C., as soon as we can find a mutually convenient time.

I wish you every success as you assume office, and I look forward to meeting with you.

Sincerely,

kml

iMessage
7/19/19, 4:48 PM

Mr Mayor — really enjoyed breakfast this morning. As discussed, connecting you here with Andrey Yermak, who is very close to President Zelensky. I suggest we schedule a call together on Monday — maybe 10am or 11am Washington time? Kurt

19179513862



Monday 10 to 11

Redacted



Ok, thank you

I will set up call — 10am — thanks - Kurt

Redacted



7/22/19, 8:29 AM

Redacted



Hello

Good morning — and congratulations! Looking forward to talking — in 90 min

Redacted



Thank you very much! And I'm waiting

19179513862



Call at 10 correct?

Yes

Redacted



Yes

7/22/19, 10:50 AM

Redacted

Thank you, Mr. Mayor for honest and productive conversation. I'm sure things will move quickly from today onwards and we will be able to take this relationship to a new level. If I may have your

 schedule, I will plan a trip to meet in person ASAP.

9/26/19, 10:34 AM

19179513862

 4:48pm

Redacted

 I will leave today 3 pm

iMessage

8/1/19, 9:55 AM

Hi Mr Mayor — hope all is well, and that things are on track to see Yermak in Madrid.

Am copying Gordon Sondland, a friend of POTUS who is our Ambassador to the EU. He is also helping on Ukraine and would love to catch up with you at some point.

As always, let me know if I can be helpful on anything - Kurt

15038058010



Thanks Kurt. Hi Mayor. Working on a number of time sensitive EU issues. Would welcome your take? I'm in Brussels but in DC and NY regularly. Gordon

8/1/19, 11:08 AM

19179513862



Seeing Yermak in Madrid tomorrow. Would like to meet with Gordon also.



I will be near Madrid over weekend

15038058010



Rudy, great. We met a while back in NY at one of Doug Ducey's events. Had a good talk. Roy Bailey was on the menu 😊. I will be in DC on the 12. Will you be there or in NY? Have a number of things for you to think about. Gordon

19179513862



I will probably be in NYC

15038058010



Bkfst @ Peninsula first thing on 8/12? Have to be in DC mid day.

19179513862



If I'm here will let you know as soon as I can

8/9/19, 11:27 AM

Hi Mr Mayor! Had a good chat with Yermak last night. He was pleased with your phone call. Mentioned Z making a statement. Can we all get on the phone to make sure I advise Z correctly as to what he should be saying? Want to make sure we

get this done right. Thanks!

15038058010



Good idea Kurt. I am on Pacific time.

19179513862



Yes can you call now going to Fundraiser at 12:30

15038058010



I will have state ops build a call.



State is calling now

8/11/19, 10:28 AM

Hi Rudy — we have heard bCk from Andrey again — they are writing the statement now and will send to us. Can you talk for 5 min before noon today?

19179513862



Yes just call

iMessage with 19179513862
5/11/19, 10:04 AM

Hi Mr Mayor - Kurt Volker here. Good speaking w you yesterday. Call anytime up to about 4pm today if you want to follow up. Would like to brief you more about Zelensky discussion and also Russia-Ukraine dynamic.

This number is good for text and cell phone

7/10/19, 8:01 AM

Mr Mayor — could we meet for coffee or lunch in the next week or so? I'd like to update you on my conversations about Ukraine. I think we have an opportunity to get you what you need. Best - Kurt V

Yes I am so n, way to Albania. I'll text some suggestions a little later

Great - thank you!

7/15/19, 2:53 PM

Dear Mr. Mayor -- are you back stateside? Let's talk or get together... Best - Kurt Volker

7/17/19, 12:00 PM

Checking in — are you stateside? Kurt V

7/17/19, 1:06 PM

Will be in DC this Friday

Great -- let's meet for breakfast or coffee?

Ok will let you know ASAP

7/18/19, 5:11 PM

Hi Mr Mayor — can I buy you breakfast tomorrow?

Suggest trump hotel - 7:30am or 8:00am?

8:00am is fine

Great — see you there — thanks - Kurt

7/19/19, 8:08 AM

Good morning! Am in the restaurant on the mezzanine, Kurt

7/26/19, 5:55 AM

Hi Mr Mayor — you may have heard— the President has a great phone call with the Ukrainian President yesterday. Exactly the right messages as we discussed.

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

Thanks for your help! Kurt

I will arrive on Aug 1 and until 5

Thank you

Great —I will tell Yermak and he'll visit with you there. Thanks!

8/4/19, 12:55 PM

Mr Mayor — how was your meeting with Andrey — do you have time for a call? Best - Kurt

It was excellent I can call a little later.

Great to hear. Maybe 3pm DC time?

8/4/19, 4:10 PM

Is now a good time to call?

8/7/19, 12:52 PM

Hi Rudy —hope you made it back safely. Let's meet if you are coming to DC. And would be good if you could convey results of your meeting in Madrid to the boss so we get a firm date for a visit. Best - Kurt

8/13/19, 9:57 AM

Mr mayor — trying to set up call in 5 min via state Dept. If now is not convenient, is there a time later today?

9/22/19, 8:35 AM

Kurt,
Thanks for the support. All I need is for you to tell the truth. You called me about Yermak and I reported back to you and Sondland, eg., a

conference call on Aug. 11. Three others before.
Really this is not hard just fair to affirm truth.
Rudy

Also Secretary seems not to know you put us
together. Straighten him out.

I certainly will let him know

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

Thanks for your help! Kurt

Kurt will you please get out a statement that State
connected me to Yermak and I reported back to
State on my conversations. Yermak has talked about
this to Press so it's now public information. All I'm
asking is to tell the truth. I can send you text chain if
you need to check your recollection.

Also have Sondland inform Pompeo he can say State
connected me with Ukraine official and was aware of
it.

9/22/19, 6:40 PM

Hi Rudy — sorry for delay — just spoke w Secretary
Pompeo — wanted to be sure we are coordinated.
We have a statement from Aug 22 that makes clear
it was coordinated — indeed, that i made the
connection between you and Yermak.



Was tweeted by NYTimes Ken Vogel at the time

STATE DEPARTMENT SPOKESPERSON STATEMENT
AUGUST 22, 2019

- The United States strongly supports Ukraine as it deepens its democracy, fights corruption, pursues economic reform, and improves its ability to defend itself against Russia's ongoing aggression.
- President Trump has invited President Zelenskyy to visit him at the White House, and both sides are working on the scheduling of such a meeting.
- We understand that the Ukrainian government taking shape under President Zelenskyy is committed to fighting corruption and other illegal activities and that investigations into such matters would be consistent within that overall approach.
- Ambassador Volker has confirmed that, at Presidential Advisor Andriy Yermak's request, Volker put Yermak in direct contact with Mr. Giuliani.
- Mr. Giuliani is a private citizen and acts in a personal capacity as a lawyer for President

Trump. He does not speak on behalf of the U.S. Government. We would refer you to Mr. Giuliani for information about the content of Mr. Giuliani's conversations with Ukrainian officials.

@StenyHoyer JUST IN: The @StateDept, which facilitated @RudyGiuliani's communications with the Ukrainian gov't (during which he urged an investigation of @JoeBiden), says Giuliani "acts in a personal capacity as a lawyer for President TRUMP. He does not speak on behalf of the US Government."



Kenneth P. Vogel
twitter.com

Read 9/22/19

(7/2/19, 6:50:21 PM) Andrey Yermak: Messages to this chat and calls are now secured with end-to-end encryption.
(7/2/19, 6:50:21 PM) Andrey Yermak: Hello again, Yermak Andrey
(7/2/19, 10:56:00 PM) Kurt Volker: Hi Andrey - thanks and see you soon. Best - Kurt
(7/2/19, 11:24:22 PM) Andrey Yermak: Thank you
(7/4/19, 8:22:56 AM) Kurt Volker: Hi Andrey - are you back in Kyiv or still in Canada or US? When should we meet next week? Best - Kurt
(7/5/19, 4:29:11 PM) Andrey Yermak: Hi, Kurt! Already back to Kiev. I will come on Tuesday 9 and till 12. I know that we will have meeting together with Mr. Daniluk on Wednesday 2 pm. But it will be great to meet with you personally for lunch or dinner during these days. Please let me know when it works for you. Best Andrey
(7/7/19, 7:10:37 PM) Kurt Volker: Hi Andrey - sorry for delay. Can we meet for dinner on Tuesday? 7pm? I am meeting danylyuk for drinks at 5:30pm. I don't know if you are meeting together or separately, but maybe a separate dinner with the two of us would still be good
(7/8/19, 10:02:42 AM) Andrey Yermak: Hi, Kurt. My plane will land at 8 pm. We can have late dinner or breakfast on Wednesday morning. It will be great to meet with you before our big meeting. Up to you. I'm at your disposal at any time
(7/8/19, 10:03:42 AM) Andrey Yermak: I will stay in Trump International Hotel
(7/8/19, 1:05:49 PM) Kurt Volker: Are you coming straight from Kyiv? That will be 10pm before you are downtown. I could do coffee Wednesday morning around 9.00am / 9.15am at trump hotel.
(7/8/19, 2:05:11 PM) Andrey Yermak: Yes. Perfect. Wednesday, 9.15 am at Trump hotel
(7/8/19, 5:14:05 PM) Kurt Volker: Great - see you there
(7/10/19, 9:08:20 AM) Kurt Volker: Hi Andrey - got here early and ordered a coffee. No rush - see you in a bit. Kurt
(7/10/19, 9:10:19 AM) Andrey Yermak: Hi Kurt. I'm 5 min
(7/10/19, 4:06:30 PM) Andrey Yermak: Thank you for 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. Please, let me know when you can meet. Andrey
(7/10/19, 9:56:26 PM) Kurt Volker: Hi Andrey - sorry for delay - full evening. Can we talk by phone tomorrow between 11am and 12pm? I am flying to Denver at 12.45 but can talk before. Best - Kurt
(7/10/19, 9:59:20 PM) Andrey Yermak: Ok, thank you
(7/11/19, 12:28:00 PM) Kurt Volker: Hi Andrey - sorry for delay - are you available to talk? Kurt
(7/11/19, 12:35:14 PM) Kurt Volker: Let's talk Saturday after the Paris meeting.
(7/11/19, 12:36:10 PM) Kurt Volker: One more feedback from yesterday - I think Alex could have been more direct and political in his message. But still, the message got through and we will keep working.
(7/11/19, 8:34:49 PM) Andrey Yermak: Ok and thank you very much! Will inform you about meeting in Paris
(7/13/19, 8:32:48 AM) Kurt Volker: Hi Andrey - how was Paris? Can you talk today or tomorrow? Kurt
(7/13/19, 8:35:45 AM) Andrey Yermak: Hi Kurt. You know much better. I think phone conversation between Presidents works. I back tonight and can call you. What time?
(7/13/19, 8:37:26 AM) Kurt Volker: I will be 10 hours behind Kyiv. Noon here is 10pm Kyiv. Is that too late? Otherwise we could do tomorrow around 8am here / 6pm Kyiv
(7/13/19, 8:40:35 AM) Andrey Yermak: If it's ok for you 11.30 pm Kyiv and 1.30 pm you?
(7/13/19, 8:42:16 AM) Kurt Volker: Yes - perfect
(7/13/19, 3:38:20 PM) Kurt Volker: Hi Andrey - still ok?
(7/13/19, 3:44:23 PM) Kurt Volker: I think it is late for you - let's try tomorrow!
(7/13/19, 4:26:35 PM) Andrey Yermak: Now ok for you?
(7/13/19, 4:30:36 PM) Kurt Volker: In about 20 minutes? Just wrapping up a meeting
(7/13/19, 4:38:26 PM) Andrey Yermak: Ok
(7/19/19, 5:08:47 AM) Andrey Yermak: КСТАТИ, <https://en.interfax.com.ua/news/interview/601400.html>
◆
(7/19/19, 6:58:27 AM) Kurt Volker: Thanks Andrey - good interview. Having our long anticipated breakfast today - will let you know and try to connect you directly. Good luck this weekend and see you next week. Kurt
(7/19/19, 1:17:15 PM) Andrey Yermak: Thank you Kurt
(7/19/19, 2:02:43 PM) Kurt Volker: Can I call you in about an hour?
(7/19/19, 3:22:42 PM) Andrey Yermak: Yes, of course
(7/22/19, 8:32:30 AM) Kurt Volker: Also - please convey my best wishes and congratulations to the President! Great result!
(7/22/19, 8:32:50 AM) Andrey Yermak: Of course!
(7/22/19, 8:35:35 AM) Andrey Yermak: One question. I have information about phone call from President Trump to President Zelenskiy at 6 pm Kyiv time today. Can you confirm it?
(7/22/19, 8:36:07 AM) Kurt Volker: I will check - maybe yes
(7/22/19, 8:38:07 AM) Andrey Yermak: Its very good that our conversation with Mr. Mayor will be before it
(7/22/19, 8:47:51 AM) Kurt Volker: Yes - and I checked - call will not be today but White House will call Danylyuk to re-schedule it
(7/22/19, 10:44:16 AM) Kurt Volker: I think that was very useful - hope it all keeps moving. Suggest you send a text to follow up and get Madrid dates - best - Kurt
(7/22/19, 11:24:54 AM) Andrey Yermak: Missed voice call
(7/22/19, 11:25:25 AM) Andrey Yermak: When you will be in Kiev?
(7/22/19, 11:26:23 AM) Andrey Yermak: And thank you for conversation and your help!
(7/22/19, 12:08:42 PM) Kurt Volker: Hi - sorry I missed your call. I land in Kyiv late Wednesday and then early Thursday go to the East. Will be in Kyiv all day Friday
(7/22/19, 12:08:54 PM) Kurt Volker: Hope to meet with the President - also see you and others
(7/22/19, 12:09:40 PM) Andrey Yermak: ◆
(7/22/19, 12:10:36 PM) Andrey Yermak: What about late dinner Wednesday or breakfast Thursday?
(7/22/19, 12:18:01 PM) Andrey Yermak: Sorry about Thursday I understand, you will go to the East
(7/22/19, 12:18:42 PM) Andrey Yermak: Breakfast possible only Friday
(7/22/19, 12:19:43 PM) Andrey Yermak: Please let me know about Wednesday and we will decide about Friday
(7/22/19, 12:40:05 PM) Kurt Volker: Hi - looks like midnight arrival on Wednesday, so let's try Friday breakfast.
(7/22/19, 1:43:15 PM) Andrey Yermak: Ok, great ◆
(7/23/19, 1:08:09 PM) Kurt Volker: Hi Andrey. I sent this to Danylyuk. Would also be happy to connect you if you and/or Prystaiko is interested. "A friend of mine who is retired CIA - former station chief in Moscow, Islamabad, and Tallinn - will be visiting Kyiv this week. If you are interested in meeting him, I'll connect you. He has good contacts in US agencies still."
(7/23/19, 1:14:46 PM) Andrey Yermak: Hi Kurt. Yes, please connect with me. Thank you

[7/23/19, 1:16:05 PM] Andrey Yermak: We have breakfast and lunch with Gordon Friday?
[7/23/19, 1:16:54 PM] Andrey Yermak: And phone call between Presidents Thursday?
[7/23/19, 1:18:52 PM] Kurt Volker: I am pretty sure the phone call is going forward for Thursday — will keep monitoring.
[7/23/19, 1:19:38 PM] Kurt Volker: For Friday — I could do 7:30am at the Hyatt. Alternatively, are you free Saturday morning?
[7/23/19, 1:20:01 PM] Kurt Volker: I think yes on Friday lunch — will check schedule on that
[7/23/19, 2:27:33 PM] Andrey Yermak: Up to you, I'm with pleasure and Friday and Saturday. Phone call still not confirm
[7/23/19, 2:31:49 PM] Andrey Yermak: When you can, let me know, I need 2 min by phone
[7/23/19, 2:33:05 PM] Kurt Volker: Ok — in about an hour?
[7/23/19, 2:33:14 PM] Kurt Volker: And call now being set for Friday I think
[7/23/19, 2:33:22 PM] Andrey Yermak: Super
[7/23/19, 2:33:36 PM] Kurt Volker: And I'm told president Z now available Thursday to meet w me, so I will rearrange schedule
[7/23/19, 2:33:54 PM] Andrey Yermak: Yes
[7/23/19, 2:34:51 PM] Andrey Yermak: Let's discuss in hour
[7/23/19, 2:35:10 PM] Kurt Volker: Ok
[7/25/19, 8:36:45 AM] Kurt Volker: Good lunch - thanks. Heard from White House — assuming President Z convinces trump he will investigate / "get to the bottom of what happened" in 2016, we will nail down date for visit to Washington. Good luck! See you tomorrow - kurt
[7/25/19, 10:15:06 AM] Andrey Yermak: Phone call went well. President Trump proposed to choose any convenient dates. President Zelenskiy chose 20,21,22 September for the White House visit. Thank you again for your help! Please remind Mr. Mayor to share the Madrid's dates
[7/25/19, 10:16:42 AM] Kurt Volker: Great — thanks and will do!
[7/26/19, 6:22:26 AM] Kurt Volker: 180730 Deployment Timeline - 2 pages <attached: 00000075-180730 Deployment Timeline.pdf>
[7/26/19, 6:25:23 AM] Kurt Volker: Hi Andrey — good meeting! Here is the paper we did last year — intended to be an annex to a UN Security Council Resolution about a peacekeeping force.
[7/26/19, 6:26:00 AM] Kurt Volker: Also — Rudy Giuliani says he arrives in Madrid on August 1 and departs August 5.
[7/27/19, 3:01:16 AM] Andrey Yermak: Good morning
[7/27/19, 3:01:42 AM] Andrey Yermak: I will be in Hyatt in 7 min
[8/1/19, 2:23:52 PM] Kurt Volker: Hi Andrey — just checking in — how is everything? On track for Madrid? Visit to OC? Kurt
[8/1/19, 3:36:03 PM] Andrey Yermak: Hi Kurt. Now in plane from Zurich to Madrid. Will call you after landing
[8/2/19, 1:27:31 PM] Andrey Yermak: Missed voice call
[8/2/19, 1:27:42 PM] Andrey Yermak: Hi Kurt
[8/2/19, 1:28:19 PM] Andrey Yermak: My meeting with Mr. Mayor was very good
[8/2/19, 1:30:36 PM] Andrey Yermak: We asked for White House meeting during week start 16 Sept. Waiting for confirmation. May be you know the date?
[8/2/19, 1:30:46 PM] Andrey Yermak: When we can talk?
[8/2/19, 1:31:04 PM] Andrey Yermak: Will be 1,5 hours in plane
[8/2/19, 1:38:44 PM] Kurt Volker: Hi Andrey — sorry I missed you. Will be free when you land
[8/4/19, 12:39:54 PM] Andrey Yermak: Hi Kurt, how are you? Do you have any news?
[8/4/19, 1:16:37 PM] Kurt Volker: Hi Andrey — speaking w Rudy in about 2 hours — call you after?
[8/4/19, 1:17:17 PM] Andrey Yermak: Yes, of course
[8/4/19, 4:20:55 PM] Kurt Volker: Have still not heard back — other than a text saying "great meeting"
[8/4/19, 4:21:11 PM] Kurt Volker: I think it is late in Spain now so will try again first thing in the morning
[8/5/19, 1:19:18 PM] Kurt Volker: Hi Andrey — had a good long talk w Rudy — call anytime - Kurt
[8/7/19, 1:32:10 PM] Andrey Yermak: Hi Kurt. How are you? Do you have some news about White House meeting date?
[8/7/19, 1:34:35 PM] Kurt Volker: Hi Andrey! Not yet — I texted Rudy earlier to make sure he weighs in following your meeting. Gordon should be speaking with the president on Friday. We are pressing this...
[8/7/19, 1:35:09 PM] Andrey Yermak: Thank you!
[8/7/19, 1:36:07 PM] Kurt Volker: Also — I expect to see Pompeo next week as well, but not yet confirmed. Will ask him to help also.
[8/8/19, 3:46:10 PM] Andrey Yermak: Hi Kurt. Can you talk? I have some news
[8/8/19, 4:51:58 PM] Kurt Volker: Hi Andrey — yes — Now is good — or tomorrow if too late for you now
[8/10/19, 4:46:29 PM] Andrey Yermak: Missed voice call
[8/10/19, 4:53:15 PM] Andrey Yermak: This message was deleted.
[8/10/19, 4:56:15 PM] Andrey Yermak: Hi Kurt. Please let me know when you can talk. I think it's possible to make this declaration and mention all these things. Which we discussed yesterday. But it will be logic to do after we receive a confirmation of date. We inform about date of visit and about our expectations and our guarantees for future visit. Let discuss it
[8/10/19, 5:01:32 PM] Kurt Volker: Ok! It's late for you — why don't we talk in my morning, your afternoon tomorrow? Say 10am/5pm?
[8/10/19, 5:02:18 PM] Kurt Volker: I agree with your approach. Let's iron out statement and use that to get date and then Prez can go forward with it?
[8/10/19, 5:26:17 PM] Andrey Yermak: Ok
[8/10/19, 5:38:43 PM] Kurt Volker: Great. Gordon is available to join as well
[8/10/19, 5:41:45 PM] Andrey Yermak: Excellent
[8/10/19, 5:42:10 PM] Andrey Yermak: Once we have a date, will call for a press briefing, announcing upcoming visit and outlining vision for the reboot of US-UKRAINE relationship, including among other things Burisma and election meddling in investigations
[8/10/19, 5:42:30 PM] Kurt Volker: Sounds great!
[8/11/19, 9:49:09 AM] Kurt Volker: Hi Andrey - ready in 10 minutes?
[8/11/19, 9:50:01 AM] Andrey Yermak: Hi Kurt. In 25 min ok?
[8/11/19, 9:51:01 AM] Kurt Volker: Yes — no problem
[8/11/19, 10:19:01 AM] Andrey Yermak: Missed voice call
[8/11/19, 10:27:26 AM] Andrey Yermak: Missed voice call
[8/11/19, 10:27:33 AM] Andrey Yermak: Missed voice call
[8/11/19, 10:27:39 AM] Andrey Yermak: Missed voice call
[8/11/19, 10:27:44 AM] Andrey Yermak: Missed voice call
[8/11/19, 10:27:51 AM] Andrey Yermak: Missed voice call

[8/12/19, 7:30:52 PM] Andrey Yermak: Hi Kurt. Can you talk?
[8/12/19, 7:48:34 PM] Kurt Volker: Hi Andrey - yes - and if it is too late for you, can also do first thing my morning. Up to you
[8/12/19, 8:24:20 PM] Andrey Yermak: Missed voice call
[8/12/19, 8:31:25 PM] Andrey Yermak: Отдельного внимания заслуживает проблема вмешательства в политические процессы Соединенных Штатов, в том числе при возможном участии некоторых украинских политиков. Хочу заявить о недопустимости подобной практики. Мы намерены обеспечить и довести до конца прозрачное и непредвзятое расследование всех имеющихся фактов и эпизодов, что в свою очередь предотвратит повторение данной проблемы в будущем.

Special attention should be paid to the problem of interference in the political processes of the United States, especially with the alleged involvement of some Ukrainian politicians. I want to declare that this is unacceptable. We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, which in turn will prevent the recurrence of this problem in the future.

[8/17/19, 2:09:08 PM] Andrey Yermak: Hi Kurt! Can you talk?
[8/17/19, 3:03:45 PM] Kurt Volker: Hi Andrey - am driving for the next hour. Would it work to call you then?
[8/17/19, 3:05:31 PM] Andrey Yermak: Yes, please
[8/17/19, 4:34:05 PM] Kurt Volker: Hi Andrey - sorry for delay - is now good? Kurt
[8/23/19, 12:27:21 PM] Andrey Yermak: Hi Kurt, Finishing meeting with President and will go. Sorry, delay, hope not more than 20-30 min
[8/23/19, 12:30:16 PM] Kurt Volker: No worries - just got in. We are in no hurry
[8/24/19, 3:15:13 PM] Andrey Yermak: Good evening
[8/24/19, 3:21:41 PM] Andrey Yermak: It's very important for all our team that you was with us today. Great day for Ukraine! I'd like to check with you some info. Thank you!
[8/24/19, 3:31:45 PM] Kurt Volker: Hi Andrey - sorry - was on another call. Was great to be here - thank you! Very inspiring day!
[8/24/19, 3:32:37 PM] Kurt Volker: Can talk now or tomorrow morning - flight is at 2pm to Frankfurt
[8/26/19, 4:18:07 PM] Kurt Volker: Hi Andrey - let me know when you can talk - have more on RFE following up on discussion with the President. - Kurt
[8/27/19, 2:08:04 PM] Kurt Volker: Hi Andrey - did you get to see Bolton?
[8/27/19, 2:08:30 PM] Andrey Yermak: Hi Kurt
[8/27/19, 2:08:32 PM] Andrey Yermak: No
[8/27/19, 2:08:42 PM] Andrey Yermak: Nobody call me
[8/27/19, 2:08:44 PM] Kurt Volker: :(
[8/27/19, 2:09:12 PM] Kurt Volker: That's disappointing - what time is the meeting with the president tomorrow?
[8/27/19, 2:09:14 PM] Andrey Yermak: Tomorrow, in official meeting with President
[8/27/19, 2:09:52 PM] Andrey Yermak: 10.30 big group, 12.30 with President
[8/27/19, 2:10:31 PM] Kurt Volker: Ok - I imagine his breakfast is already booked, but I'll ask.
[8/27/19, 2:11:44 PM] Andrey Yermak: No problem, maybe better after
[8/27/19, 2:11:55 PM] Kurt Volker: Ok
[8/27/19, 2:12:32 PM] Andrey Yermak: As I understand he don't know about dates
[8/27/19, 2:13:16 PM] Kurt Volker: Correct - but he is working hard for the meeting in Warsaw, and that will hopefully break things free
[8/27/19, 2:14:22 PM] Andrey Yermak: Ok, I'm ready meet with him after official meeting
[8/28/19, 8:11:57 AM] Andrey Yermak: Turns out that Bolton can't make it. We'll talk
[8/28/19, 8:12:10 AM] Andrey Yermak: Hi Kurt
[8/28/19, 8:12:20 AM] Andrey Yermak: It's from Taylor
[8/28/19, 8:14:08 AM] Kurt Volker: That's too bad - but bill is on the ground with him so he knows the schedule. How was the meeting w the president?
[8/28/19, 8:15:29 AM] Andrey Yermak: I think very good
[8/28/19, 8:17:47 AM] Andrey Yermak: And involved in this case with Motor Sich
[8/28/19, 8:19:05 AM] Andrey Yermak: Me
[8/28/19, 8:19:32 AM] Andrey Yermak: Ok, for me no problem
[8/28/19, 8:20:12 AM] Andrey Yermak: This message was deleted.
[8/28/19, 8:28:54 AM] Kurt Volker: Ok - let's talk later today
[8/28/19, 4:02:34 PM] Andrey Yermak: Missed voice call
[8/29/19, 2:27:35 AM] Andrey Yermak: Hi Kurt
[8/29/19, 2:28:13 AM] Andrey Yermak: Need to talk with you
[8/29/19, 3:06:14 AM] Andrey Yermak: <https://www.politico.com/story/2019/08/28/trump-ukraine-military-aid-russia-1689531>
[8/29/19, 6:55:04 AM] Kurt Volker: Hi Andrey - Absolutely. When is good for you?
[8/29/19, 3:01:38 PM] Kurt Volker: Hi Andrey - am told 2:40pm meeting on Sunday in Warsaw. 1 hour bilat
[8/29/19, 5:03:38 PM] Kurt Volker: Just saw trump cancelling going to Poland - sending Pence instead. Hope we keep the bilat - and push for data for WH visit
[9/1/19, 11:33:02 AM] Kurt Volker: Hi Andrey - how was pence meeting?
[9/3/19, 8:58:30 AM] Kurt Volker: Hi Andrey - how was N4 meeting. Can call in an hour or so...
[9/3/19, 9:08:33 AM] Andrey Yermak: Hi Kurt
[9/3/19, 9:08:51 AM] Andrey Yermak: Will be in plane
[9/3/19, 9:09:05 AM] Andrey Yermak: In general, ok
[9/3/19, 9:09:24 AM] Andrey Yermak: Details tonight
[9/3/19, 9:09:44 AM] Andrey Yermak: What about Pence meeting?
[9/3/19, 9:10:00 AM] Andrey Yermak: Any news about dates?
[9/3/19, 11:28:23 AM] Kurt Volker: Ukraine Security Letter - 2 pages <attached: 00000174-Ukraine Security Letter.pdf>
[9/4/19, 9:56:30 AM] Kurt Volker: Hi Andrey. Reports are that pence liked meeting and will press trump on scheduling Ze visit. Gordon will follow up with pence and, if nothing moving, will have a chance to talk with President on Saturday.
[9/4/19, 9:56:49 AM] Kurt Volker: Sorry - on Friday
[9/4/19, 9:57:35 AM] Andrey Yermak: Hi Kurt

(9/4/19, 9:57:41 AM) Andrey Yermak: Thank you!
(9/4/19, 9:58:09 AM) Andrey Yermak: Call you in 30 min?
(9/4/19, 9:58:14 AM) Kurt Volker: My pleasure. Did you have a chance to put a word into Kozak about me visiting?
(9/4/19, 9:58:29 AM) Kurt Volker: In an hour would be better — going in to a meeting now..
(9/4/19, 1:53:32 PM) Andrey Yermak: Missed voice call
(9/4/19, 2:37:50 PM) Andrey Yermak: Missed voice call
(9/4/19, 2:56:25 PM) Andrey Yermak: Can you talk?
(9/5/19, 8:17:50 PM) Kurt Volker: Hi Andrey — flying to Georgia — can talk Friday or Saturday. Nothing new on RFE? I will see RFE President Jamie Fly on Monday. Best - Kurt
(9/7/19, 8:17:52 AM) Kurt Volker: Great news on the prisoner exchange! Hope it leads to progress in Donbas.
(9/9/19, 8:01:26 AM) Kurt Volker: Hi Andrey — let me know if there is a good time to call. Can we meet for breakfast or coffee on Saturday? Best - Kurt
(9/11/19, 2:23:51 PM) Kurt Volker: Hi Andrey - hope all is well — looking forward to seeing you Saturday. Will be interested to get your read on call this eve. Just spoke w Gordon after your call and we are pushing again for a date. Best - Kurt
(9/11/19, 4:52:34 PM) Andrey Yermak: Hi Kurt
(9/11/19, 4:52:52 PM) Andrey Yermak: Can call you in 40 min?
(9/11/19, 5:36:41 PM) Andrey Yermak: Missed voice call
(9/12/19, 12:58:11 AM) Kurt Volker: Hi Andrey — sorry to miss you last night. Let's try later today— 9am?
(9/12/19, 1:44:10 PM) Andrey Yermak: Missed voice call
(9/12/19, 2:59:54 PM) Andrey Yermak: Missed voice call
(9/12/19, 3:26:07 PM) Kurt Volker: Hi Andrey — sorry to miss your call. Just getting back from a dinner and will call
(9/12/19, 3:40:42 PM) Kurt Volker: Call in 20 min - no problem
(9/14/19, 2:39:42 AM) Kurt Volker: Hi Andrey — planning on 20:30 dinner at Hyatt. Let me know once you are back from Dnipro if you need to adjust timing. I am flexible. Kurt
(9/14/19, 2:40:34 AM) Andrey Yermak: Hi, Kurt
(9/14/19, 2:40:35 AM) Andrey Yermak: Ok
(9/14/19, 2:41:05 AM) Kurt Volker: Ok - thanks
(9/14/19, 2:41:34 AM) Andrey Yermak: Thank you
(9/14/19, 12:03:54 PM) Kurt Volker: Hi Andrey — checking schedule — ok for 8:30pm?
(9/14/19, 12:06:51 PM) Andrey Yermak: If possible 9 pm
(9/14/19, 12:06:55 PM) Andrey Yermak: ?
(9/14/19, 12:09:40 PM) Kurt Volker: Yes — 9am is fine. Also — Pinchuk is urging that you come to YES and join dinner he is hosting here. As long as we have a chance to speak privately, that's fine with me. But also happy to leave here and meet you privately at Hyatt.
(9/14/19, 12:17:59 PM) Andrey Yermak: I was in YES dinner yesterday, it's problematic to speak there. See you at Hyatt
(9/14/19, 12:18:15 PM) Kurt Volker: Ok — see you there at 9am
(9/14/19, 12:18:49 PM) Andrey Yermak: Tomorrow?
(9/14/19, 12:19:15 PM) Andrey Yermak: 9 am?
(9/14/19, 12:32:42 PM) Kurt Volker: Sorry — I meant 9pm!!
(9/14/19, 12:32:52 PM) Kurt Volker: I have a flight at 6am tomorrow
(9/14/19, 12:34:38 PM) Andrey Yermak: Ok
(9/14/19, 12:34:41 PM) Andrey Yermak: Excellent
(9/14/19, 12:34:57 PM) Kurt Volker: Ok - thank you!!
(9/16/19, 118:05 PM) Kurt Volker: Hi Andrey — looks like the Metropolitan's What's App account was hacked.

The phone number is correct. I just spoke with him.

I suggest you give him a call at that number rather than engage in the text stream. Kurt

(9/20/19, 11:02:05 AM) Kurt Volker: Hi Andrey — let me know when is good to call. Going to see Russian Amb on Monday and looking at next weekend (27th-30th or so) to visit Moscow.
(9/20/19, 1:27:38 PM) Andrey Yermak: Hi
(9/20/19, 1:27:51 PM) Andrey Yermak: Will call you
(9/20/19, 1:51:37 PM) Kurt Volker: Ok - thanks
(9/20/19, 2:20:52 PM) Andrey Yermak: Missed voice call
(9/21/19, 12:25:47 AM) Andrey Yermak: <https://thehill.com/opinion/white-house/462422-missing-piece-to-the-ukraine-puzzle-state-departments-overture-to-rudy>
(9/23/19, 5:29:23 PM) Kurt Volker: Hi Andrey -- welcome to New York! Would you be free between 4pm and 6pm tomorrow? Either the two of us, or also with Vadym? Best - Kurt
(9/24/19, 10:08:26 AM) Andrey Yermak: Hi Kurt
(9/24/19, 10:08:48 AM) Andrey Yermak: And what about evening?
(9/24/19, 10:09:04 AM) Andrey Yermak: Gordon already here?
(9/24/19, 10:09:15 AM) Kurt Volker: Yes — I have a dinner at 8:30pm — but can rearrange to make time for you.
(9/24/19, 10:09:22 AM) Kurt Volker: Yes - he is there
(9/24/19, 10:09:28 AM) Kurt Volker: I arrive around 3:30pm
(9/24/19, 10:09:56 AM) Andrey Yermak: It will be excellent
(9/24/19, 10:10:05 AM) Kurt Volker: What time are you free
(9/24/19, 10:10:07 AM) Kurt Volker: ?
(9/24/19, 10:10:28 AM) Andrey Yermak: 8:30 pm?
(9/24/19, 10:11:19 AM) Kurt Volker: Ok — I'll skip my dinner — let's get a dinner reservation for 8:30
(9/24/19, 10:11:42 AM) Andrey Yermak: Ok
(9/24/19, 10:12:07 AM) Kurt Volker: Is 9pm too late? 9-10:30pm?
(9/24/19, 10:12:47 AM) Andrey Yermak: May be Gordon will join us?
(9/24/19, 10:15:02 AM) Kurt Volker: I'll ask him
(9/24/19, 10:15:12 AM) Kurt Volker: Do you want to invite Vadym?

[9/24/19, 10:15:47 AM] Andrey Yermak: Yes
[9/24/19, 10:17:13 AM] Andrey Yermak: You will make a reservation or me?
[9/24/19, 10:43:04 AM] Kurt Volker: I'll get a reservation -- what hotel are you be staying at? will look for a steak place.
[9/24/19, 10:43:29 AM] Andrey Yermak: 
[9/24/19, 10:43:47 AM] Andrey Yermak: Park Hyatt
[9/24/19, 10:50:58 AM] Kurt Volker: Reservation for 4 people at The Strip House -- 9pm. 15 West 44th Street
[9/24/19, 10:51:23 AM] Kurt Volker: Gordon has another dinner at 7pm and will join as soon as he can alter
[9/24/19, 10:51:32 AM] Kurt Volker: Will you tell Vadym?
[9/24/19, 10:54:18 AM] Andrey Yermak: Ok
[9/24/19, 10:54:23 AM] Andrey Yermak: Yes
[9/24/19, 10:54:35 AM] Andrey Yermak: 
[9/24/19, 11:01:02 AM] Kurt Volker: Great!
[9/24/19, 7:16:04 PM] Andrey Yermak: See you very soon
[9/24/19, 7:16:06 PM] Andrey Yermak: I have one question
[9/24/19, 7:16:06 PM] Andrey Yermak: May be you know
[9/24/19, 7:17:07 PM] Kurt Volker: Yes -- I think so
[9/24/19, 7:17:19 PM] Kurt Volker: Don't have an answer yet and trying to get one
[9/25/19, 8:21:20 AM] Andrey Yermak: Good morning
[9/25/19, 8:21:28 AM] Andrey Yermak: Any news?
[9/25/19, 8:22:46 AM] Kurt Volker: Spoke w Gordon - he was feeling sick last night
[9/25/19, 8:23:28 AM] Kurt Volker: We are both weighing in on the issue... nothing more yet
[9/25/19, 9:31:27 AM] Andrey Yermak: Will publish full or part?
[9/25/19, 9:52:05 AM] Kurt Volker: I pushed for sharing w you first, then meeting, then release. But no word back
[9/25/19, 3:18:16 PM] Andrey Yermak: What you think? Great that you was
[9/25/19, 3:20:43 PM] Kurt Volker: Thanks - very good meeting. Exactly what I expected. Once they can talk to each other -- all good
[9/25/19, 5:36:27 PM] Kurt Volker: Did you want to meet and follow up also with Gordon? Can try, though schedules are tight for all of us
[9/25/19, 5:54:07 PM] Andrey Yermak: Yes
[9/25/19, 5:54:16 PM] Andrey Yermak: With pleasure
[9/25/19, 5:54:47 PM] Andrey Yermak: I will call you about 8 pm?
[9/25/19, 8:00:15 PM] Kurt Volker: Ok -- can talk briefly then
[9/25/19, 7:24:30 PM] Andrey Yermak: Missed voice call
[9/25/19, 7:24:51 PM] Andrey Yermak: Can you talk now?
[9/25/19, 7:27:25 PM] Kurt Volker: Yes -- but maybe better in 15-20 min?
[9/25/19, 11:36:11 PM] Andrey Yermak: What about tomorrow?
[9/25/19, 11:36:41 PM] Kurt Volker: Yes -- 8am your Hotel -- Park Hyatt
[9/25/19, 11:36:59 PM] Andrey Yermak: 
[9/26/19, 7:49:17 AM] Andrey Yermak: Missed voice call
[9/26/19, 7:50:20 AM] Andrey Yermak: Missed voice call
[9/26/19, 7:55:46 AM] Andrey Yermak: Missed voice call
[9/26/19, 7:57:58 AM] Andrey Yermak: Good morning
[9/26/19, 7:58:38 AM] Andrey Yermak: Waiting for you in lobby, place for breakfast
[9/26/19, 10:43:57 AM] Kurt Volker: Hi Andrey -- good visit. Reminder about Metropolitan Emmanuel Adamakis. Do you need his number again? Thanks - Kurt
[9/26/19, 10:47:21 AM] Andrey Yermak: Thank you! Yes, please
[9/26/19, 10:48:10 AM] Kurt Volker: +33 6 89 52 12 55
[9/26/19, 10:48:36 AM] Kurt Volker: He is planning to be in ukraine through tomorrow
[9/27/19, 7:44:20 PM] Andrey Yermak: Hi
[9/28/19, 8:11:36 AM] Andrey Yermak: Hello again. I+I channel want to talk with you?
[9/28/19, 9:23:16 AM] Kurt Volker: Thanks -- not yet -- have to do the Congress first
[9/28/19, 9:23:31 AM] Andrey Yermak: Ok

[8/9/19, 2:24:21 PM] You created group "Andrey/Gordon/Kurt"
[8/9/19, 2:24:21 PM] Andrey/Gordon/Kurt: Messages to this group are now secured with end-to-end encryption.
[8/9/19, 2:24:57 PM] Kurt Volker: Hi Andrey — we have all consulted here, including with Rudy. Can you do a call later today or tomorrow your afternoon time? Kurt
[8/9/19, 2:25:40 PM] Gordon Sondland: I have a call sched at 3pm Eastern for the three of us. Ops will call
[8/13/19, 10:11:50 AM] Kurt Volker: Hi Andrey — we spoke with Rudy. When is good to call you?
[8/13/19, 10:19:20 AM] Andrey Yermak: Hi Kurt
[8/13/19, 10:19:50 AM] Gordon Sondland: I can talk now
[8/13/19, 10:20:54 AM] Andrey Yermak: I'm in Israel
[8/13/19, 10:21:20 AM] Gordon Sondland: Important. Do you have 5 mins
[8/13/19, 10:21:21 AM] Andrey Yermak: I can speak in 10-15 min
[8/13/19, 10:22:55 AM] Gordon Sondland: Ok I will have our operator dial us in at 4:35 Brussels time
[8/13/19, 10:23:14 AM] Kurt Volker: Can we do this one on what's App?
[8/13/19, 10:23:31 AM] Gordon Sondland: Ok, fine. Can you initiate?
[8/13/19, 10:23:41 AM] Kurt Volker: Yes - will do
[8/13/19, 10:24:17 AM] Andrey Yermak: Ok
[8/13/19, 12:11:15 PM] Kurt Volker: Hi Andrey — good talking — following is text with insert at the end for the 2 key items. We will work on official request
[8/13/19, 12:11:19 PM] Kurt Volker: Special attention should be paid to the problem of interference in the political processes of the United States, especially with the alleged involvement of some Ukrainian politicians. I want to declare that this is unacceptable. We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, including those involving Burisma and the 2016 U.S. elections, which in turn will prevent the recurrence of this problem in the future.

[8/9/19, 12:29:28 PM] Call with Sondland/Volker: Messages to this group are now secured with end-to-end encryption.

[8/9/19, 12:29:28 PM] Gordon Sondland created group "Call with Sondland/Volker"

[8/9/19, 12:29:28 PM] Gordon Sondland added you

[8/9/19, 12:30:03 PM] Gordon Sondland: Andrey, can you, Kurt and I have a call today after 3pm Eastern time?

[8/9/19, 12:31:38 PM] Andrey Yermak: Yes, ok

[8/9/19, 12:32:50 PM] Gordon Sondland: I will have our State Dept ops center place the call to you at this number at 3pm Washington time.

(6/12/19, 9:39:22 AM) You created group "Gordon and Bill"
(6/12/19, 9:39:22 AM) Gordon and Bill: Messages to this group are now secured with end-to-end encryption.
(6/12/19, 9:40:38 AM) Kurt Volker: Hi Gordon — introducing you here to Bill Taylor, who is going out to Kyiv as Chargé. You guys should meet / talk when you can. Bill was Amb in Kyiv at end of Bush Admin and more recently has been VP at USIP. Best - Kurt
(6/12/19, 9:56:09 AM) Bill Taylor: Thanks, Kurt.
Ambassador, good to meet you. I look forward to working with you.
Bill
(6/19/19, 5:12:14 AM) Gordon Sondland: This message was deleted.
(6/19/19, 5:13:31 AM) Gordon Sondland: Bill, thanks for joining us on the call yesterday. This is a great team working together in support of the Ukrainian people. I look forward to meeting you in person soon. All the best, Gordon
(6/19/19, 8:33:02 AM) Bill Taylor: Thanks, Gordon -- a very productive call. We are working on several of the actions and will keep you posted on progress. Bill
(6/24/19, 3:01:31 PM) Bill Taylor: Gordon,
Can I ask you to see if you can break through on two key issues: a date from the White House for the Ze visit and a senior lead for a delegation to Kyiv for their Independence Day parade and celebration on August 24. The date for the visit is urgent. The NSC has not been able get a date (many are traveling, of course). Two years ago Secretary Mattis came for Independence Day; last year Ambassador Bolton. Secretary Pompeo can't make it, The Vice President? Many thanks
(6/26/19, 3:48:43 PM) Bill Taylor: Gordon,
You might not have seen the message from George Kent on the high side that tells us that senior levels at the WH said that the visit is not happening any time soon. Very discouraging. Any chance you can turn this around? If not, I don't think a senior call with the Ukrainians on Friday as your staff is suggesting makes sense. (Plus it's a Ukrainian holiday -- Constitution Day.) Your thoughts?
(6/26/19, 3:49:33 PM) Kurt Volker: Let's have an internal call Friday -- three of us plus Secretary Perry. - Kurt
(6/26/19, 3:50:13 PM) Gordon Sondland: This is Vindman and is being fixed. Agree Kurt, lets talk Fri
(6/26/19, 3:51:04 PM) Bill Taylor: Good idea.
(6/27/19, 7:13:33 AM) Bill Taylor: Gordon, is this fixed? If we have a date for the meeting, I am glad to ask Ukrainians to talk to us tomorrow on their Constitution Day holiday. If we don't yet have a date, I am reluctant and agree with Kurt that the call tomorrow should be just Americans. Thoughts?
(6/27/19, 7:53:52 AM) Gordon Sondland: Just Americans tomorrow. Give me a call when u can on this line
(6/27/19, 8:46:02 AM) Bill Taylor: Calling now
(6/27/19, 10:23:19 AM) Bill Taylor: Calling again shortly
(6/27/19, 10:28:11 AM) Bill Taylor: Call when it's convenient. I will be on this number for the next 30 minutes. After that, I will be in my office and will need an email alert to come get this phone. taylorwb@state.gov
(6/28/19, 9:47:19 AM) Bill Taylor: Call this afternoon still on?
(6/28/19, 9:52:06 AM) Gordon Sondland: Yes, they will be calling you. Just got moved by Ukraine to 10:15-10:30 Eastern
(6/28/19, 9:52:52 AM) Bill Taylor: Got it -- thanks
(6/28/19, 11:03:23 AM) Bill Taylor: Good call.
Thanks for including me and for the Secretary's kind endorsement. Good luck in Toronto, Kurt
(6/28/19, 11:08:30 AM) Gordon Sondland: Whew, glad you stayed on!
(6/28/19, 11:13:33 AM) Bill Taylor: Me, too. I might see him Sunday with Congressman Hoyer's congressional delegation.
(6/28/19, 11:15:54 AM) Bill Taylor: How do you plan to handle informing anyone else about the call? I will completely follow your lead.
(6/28/19, 11:23:52 AM) Kurt Volker: I think we just keep it among ourselves to try to build working relationship and just get the d*** date for the meeting!
(6/28/19, 11:23:57 AM) Kurt Volker: :)
(6/28/19, 11:34:39 AM) Gordon Sondland: Agree with KV. Very close hold
(6/28/19, 11:37:32 AM) Bill Taylor: Got it
(7/3/19, 1:20:45 PM) Bill Taylor: Kurt had a good meeting with Ze. I hear, I just sent Danyliuk's strategic partnership plan in preparation for next Wednesday's meeting. OK to talk with Ulrich about these conversations, or have you already briefed him?
(7/3/19, 1:22:28 PM) Gordon Sondland: Did Danyliuk get confirmed with Bolton for next week?
(7/3/19, 1:26:21 PM) Bill Taylor: Yes -- 2 PM Wednesday
(7/3/19, 1:50:06 PM) Gordon Sondland: I have not briefed Ulrich yet. Waiting for the Bolton meeting and then a comprehensive briefing. If you want to chat with him sooner, no worries on my end. Have a great 4th!
(7/3/19, 1:54:03 PM) Bill Taylor: Thanks -- to you as well.
(7/7/19, 10:04:04 AM) Bill Taylor: Prystaiko is with the president at the line of contact. They asked if we have anything more on the phone call. I am with Danyliuk in his helicopter on the way back from the Crimean border. Can pass on any new information.
(7/7/19, 10:07:30 AM) Gordon Sondland: We are seeing Danyliuk in a couple of days. Better face to face with Bolton
(7/7/19, 1:50:19 PM) Bill Taylor: As Kurt knows, the NSDC office is a ways from the president's. For now, Prystaiko is physically closer, traveling with Ze to Toronto and the line of contact. Let me know if I can get answers.
(7/7/19, 2:15:32 PM) Gordon Sondland: Call me.
(7/7/19, 2:29:01 PM) Bill Taylor: Just called. Let me know what's a convenient time.
(7/7/19, 2:34:01 PM) Kurt Volker: Gordon - maybe we can talk e Mulvaney on Monday by phone? Kurt
(7/7/19, 5:08:56 PM) Gordon Sondland: Yes, lets do that
(7/7/19, 11:24:09 PM) Bill Taylor: Great. If you get me a time for the call, I will get them ready and the call on their schedule.
(7/10/19, 7:56:03 AM) Bill Taylor: Just had a meeting with Andriy and Vadym. Very concerned about what Lutsenko told them -- that, according to RG, the ZE-POTUS meeting will not happen. Advice?
(7/10/19, 7:57:58 AM) Kurt Volker: Good grief. Please tell Vadym to let the official USG representatives speak for the U.S. Lutsenko has his own self-interest here...
(7/10/19, 7:58:37 AM) Bill Taylor: Exactly what I told them.
(7/10/19, 7:59:41 AM) Bill Taylor: And I said that RG is a private citizen.
(7/10/19, 11:43:41 AM) Bill Taylor: I briefed Ulrich this afternoon on this.
(7/10/19, 2:26:06 PM) Bill Taylor: Eager to hear if your meeting with Danyliuk and Bolton resulted in a decision on a call.
(7/10/19, 10:26:13 PM) Bill Taylor: How did the meeting go?
(7/10/19, 10:29:44 PM) Kurt Volker: Not good -- let's talk -- kv

(7/10/19, 10:31:20 PM) Bill Taylor: Just called. You are on the phone.

(7/14/19, 10:07:27 AM) Gordon Sondland: Everyone is now focused on making the Potus ZE call happen prior to 7/21

(7/14/19, 10:09:33 AM) Kurt Volker: Anything new you have heard?

(7/14/19, 10:12:57 AM) Gordon Sondland: Tim Morrison is also tracking now. Good sign

(7/14/19, 10:16:46 AM) Bill Taylor: They will make it happen whenever, but they want him in an office, ideally his, so the connection and interpretation are clear. Any indication of timing most welcome

(7/15/19, 10:10:22 AM) Bill Taylor: We keep getting readouts of the Danyliuk-Bolton meeting that predict no phone call or meeting any time soon. This can't be my message to Ze. How to proceed?

(7/15/19, 10:31:05 AM) Gordon Sondland: Talking to NSC tomorrow at 8:30 eastern

(7/16/19, 12:47:13 PM) Bill Taylor: Make any progress?

(7/17/19, 10:46:23 AM) Bill Taylor: Danyliuk just asked if there was any news from the WH. Any update?

(7/17/19, 10:47:01 AM) Gordon Sondland: I put in a call to Potus and am waiting for a return

(7/17/19, 10:47:44 AM) Bill Taylor: Excellent -- thanks, Gordon

(7/18/19, 10:19:54 AM) Bill Taylor: OMB on a SVTS just now said that all security assistance to Ukraine is frozen, per a conversation with Mulvaney and POTUS. Over to you.

(7/18/19, 11:07:08 AM) Gordon Sondland: All over it

(7/19/19, 10:19:10 AM) Bill Taylor: Can we marshal our forces to get a congratulatory phone call from POTUS to Ze mid to late next week, assuming the election goes well and Servant of the People does well?

(7/19/19, 11:31:03 AM) Gordon Sondland: Talked to WH. This is moving but post election

(7/19/19, 11:49:51 AM) Bill Taylor: If we can get a congratulatory call post election, that could begin to establish the relationship?

(7/19/19, 4:49:42 PM) Kurt Volker: Can we three do a call tomorrow -- say noon WASHINGTON?

(7/19/19, 6:50:29 PM) Gordon Sondland: Looks like Potus call tomorrow. I spike directly to Zelensky and gave him a full briefing. He's got it.

(7/19/19, 6:52:57 PM) Gordon Sondland: Sure!

(7/19/19, 7:01:22 PM) Kurt Volker: Good. Had breakfast with Rudy this morning -- teasing up call w Yermak Monday. Must have helped. Most imp is for Zelensky to say that he will help investigation -- and address any specific personnel issues -- if there are any

(7/19/19, 11:53:55 PM) Bill Taylor: Good idea for us to check in at noon Washington time. I just heard that the POTUS call that had been scheduled for 1500 Kyiv time today has been put on hold pending the outcome of the election tomorrow. Is that what you hear?

(7/20/19, 4:52:58 AM) Bill Taylor: If possible, I'd like to at least know when these are scheduled. I can at least reinforce what you are doing.

(7/20/19, 4:53:15 AM) Gordon Sondland: Call me Bill thx

(7/20/19, 10:41:01 AM) Bill Taylor: Do we need to talk at noon Washington time?

(7/20/19, 10:45:50 AM) Kurt Volker: Yes - I'm available. Not sure if Gordon can or not but let's plan on it, and we'll loop Gordon in if we can

(7/20/19, 11:33:00 AM) Bill Taylor: Kupperman (sp?) wants to talk to Danyliuk secure so I am meeting taking him to my office. Can we reschedule?

(7/20/19, 11:37:11 AM) Kurt Volker: Absolutely

(7/20/19, 11:37:19 AM) Kurt Volker: Anytime today will work for me

(7/20/19, 11:46:20 AM) Bill Taylor: Maybe after the Kupperman-Danyliuk call? Around 9 my time tonight?

(7/20/19, 12:29:14 PM) Kurt Volker: Ok

(7/20/19, 1:48:41 PM) Bill Taylor: Just finished with Danyliuk. Will be in the car in 10 minutes. Call then?

(7/20/19, 1:49:03 PM) Kurt Volker: Yes - good

(7/20/19, 2:27:04 PM) Bill Taylor: Call now?

(7/21/19, 1:45:54 AM) Bill Taylor: Gordon, one thing Kurt and I talked about yesterday was Sasha Danyliuk's point that President Zelenskyy is sensitive about Ukraine being taken seriously, not merely as an instrument in Washington domestic, reelection politics.

(7/21/19, 4:45:44 AM) Gordon Sondland: Absolutely, but we need to get the conversation started and the relationship built, irrespective of the pretext. I am worried about the alternative.

(7/21/19, 5:21:47 AM) Bill Taylor: So, the call tomorrow can be a positive step.

(7/22/19, 12:15:55 AM) Bill Taylor: Good, pretty long meeting -- both one-on-one and with Bohdan, Sasha, Yermak, Razumkov -- with the president at his campaign headquarters last night. Interested in both the call and meeting. I couldn't be specific.

(7/22/19, 12:17:16 AM) Bill Taylor: Sounds like Washington is thinking about a congratulatory call in the next couple of days -- Kupperman wrote asking when the results will be known.

(7/22/19, 12:20:59 AM) Bill Taylor: Very good election result for Zelenskyy and us. Likely a young, Western-oriented prime minister. Ze likely in coalition with Yakharchuk (with whom I have met one-on-one twice in the last three days).

(7/22/19, 12:22:01 AM) Gordon Sondland: So Monday call was just rumor?

(7/22/19, 12:28:22 AM) Bill Taylor: Doesn't sound like from either side that it was actually scheduled.

(7/22/19, 8:38:05 AM) Kurt Volker: Yermak thinks Call is at 6pm Kiev today. Bill -- any idea? Should I call sitroom?

(7/22/19, 8:40:38 AM) Gordon Sondland: Good idea

(7/22/19, 8:42:39 AM) Bill Taylor: Tim Morrison just told me it's not on today and I should tell Danyliuk that they will schedule through him shortly.

(7/22/19, 8:43:12 AM) Bill Taylor: I have told Sasha (and Vadym).

(7/22/19, 8:44:12 AM) Bill Taylor: Don't you think we should work through Sasha?

(7/22/19, 8:46:03 AM) Kurt Volker: Yes -- you've got the latest. That's good. Work thru Sasha. And great they will schedule thru danyliuk. Keep us posted what you hear.

(7/22/19, 8:46:10 AM) Kurt Volker: I'll tell Yermak same thing

(7/22/19, 8:46:52 AM) Bill Taylor: Excellent. Will do

(7/23/19, 4:16:41 AM) Bill Taylor: NSC is trying to schedule the call for Thursday. I am checking with Sasha to see if that works for them.

(7/23/19, 4:28:55 AM) Gordon Sondland: Great. I will be in Kyiv Thu night

(7/23/19, 4:57:47 AM) Bill Taylor: Looking forward to seeing you here!

(7/23/19, 11:33:06 PM) Bill Taylor: NSC now looking at Friday for the call. Ukrainians are checking to see if that works

(7/24/19, 1:39:08 AM) Kurt Volker: Great! Sounds like this is now on track?

(7/24/19, 1:40:57 AM) Gordon Sondland: Oy

(7/24/19, 1:41:05 AM) Gordon Sondland: Vey

(7/24/19, 2:56:33 AM) Bill Taylor: Is right. Also, some question about which day to go east, which to stay here for meetings. On the call, it sounds like the NSC is on board with the call and are just trying to get it scheduled. Not final but shooting for Friday. I am waiting to hear if Friday works for the Ukrainians.

(7/24/19, 2:57:25 AM) Kurt Volker: Great. I'll go east on whichever day in order to accommodate zelenskyy -- fine either way

(7/24/19, 2:57:41 AM) Gordon Sondland: Call me just spoke to Danyliuk. I have clarity

(7/24/19, 2:58:21 AM) Bill Taylor: Calling now
(7/24/19, 3:30:19 AM) Bill Taylor: Prystaiko and Danyliuk are now coordinating the call. President Zelenskyy is traveling on Friday.
(7/24/19, 3:39:03 AM) Kurt Volker: Ok -- so we are meeting Ze on Thursday and going east Friday?
(7/24/19, 3:39:09 AM) Kurt Volker: Great the call is on!
(7/24/19, 3:39:25 AM) Kurt Volker: Have just boarded in Zurich en route to Vienna
(7/24/19, 3:50:52 AM) Bill Taylor: The call is not yet scheduled -- NCS trying for Friday, Zelensky traveling on Friday, they prefer Thursday. Prystaiko wants our meeting and the POTUS call on Thursday, trip to the East on Friday. That doesn't work for you, Gordon.
(7/24/19, 4:03:15 AM) Kurt Volker: We should do what works for Ze on Kyiv/S-L schedule. Most imp't thing is that potus call happens no matter what day.
(7/24/19, 9:18:00 AM) Bill Taylor: Still waiting on word from NSC on the phone call tomorrow. President Zelenskyy will be here on Friday morning if you two wanted to schedule a meeting with him then. That would, however, make the trip to the East with Prystaiko difficult.
(7/24/19, 9:23:08 AM) Gordon Sondland: My primary objective is Zelensky. Friday morning is great
(7/24/19, 9:24:13 AM) Bill Taylor: Got it, Kurt?
(7/24/19, 10:33:55 AM) Kurt Volker: Gordon -- can you get there in time for a Thursday meeting? I think it is important to see the conflict area and the people affected by it -- and in doing, reinforce zelensky's substantive efforts.
(7/24/19, 10:39:20 AM) Bill Taylor: There is a report -- from Vadym via an Irritated Sasha -- that the phone call could happen at 7 tomorrow evening our time. Tim Morrison is trying to confirm.
(7/24/19, 10:41:07 AM) Kurt Volker: That's great! Why are they irritated? They are getting the date they asked for.
(7/24/19, 10:41:47 AM) Kurt Volker: Also -- Gordon just called and danylyuk said meeting w president is confirmed for 11am Friday -- so we should keep the trip east on Thursday
(7/24/19, 2:08:46 PM) Bill Taylor: The phone call is now confirmed for tomorrow at 10:00 Kyiv time. We are planning the trip to the East after the Zelenskyy meeting on Friday morning.
(7/24/19, 2:54:33 PM) Gordon Sondland: Thanks Bill
(7/24/19, 2:55:48 PM) Bill Taylor: Looking forward to seeing you both tomorrow.
(7/24/19, 3:25:23 PM) Kurt Volker: Outstanding -- thanks! Kurt
(7/25/19, 12:00:55 PM) Bill Taylor: Gordon, Kurt and I will be at the restaurant in 10 minutes. Sounds like the call went well. Sasha will give us a readout.
(7/26/19, 6:36:53 AM) Kurt Volker: <attached: 00000127-PHOTO-2019-07-26-06-36-53.jpg>
(7/26/19, 6:37:38 AM) Kurt Volker: Great photo! Gordon- can you get this to POTUS without intermediaries? - ky
(7/27/19, 4:26:25 AM) Gordon Sondland: <attached: 00000129-PHOTO-2019-07-27-04-26-25.jpg>
(7/27/19, 4:40:43 AM) Gordon Sondland: <https://youtu.be/WBpad9R0C0>
(7/27/19, 7:21:45 AM) Gordon Sondland: Ric and I are talking later today
(7/27/19, 7:22:16 AM) Kurt Volker: Great -- give him my best. I'm arriving to Kyiv on aug 23 and departing aug 25.
(7/27/19, 7:22:31 AM) Kurt Volker: Would be happy if he joined
(7/27/19, 7:23:56 AM) Bill Taylor: Thanks for getting him on message, Gordon. This is why you are the US ambassador to Europe.
(8/1/19, 9:54:13 AM) Kurt Volker: Hi bill -- what's the status on dates? Thanks
(8/1/19, 10:04:23 AM) Gordon Sondland: Kurt, thx for flagging. Bill, S' office getting conflicting info. Did the WH formally offer dates for Ze's consideration.
(8/1/19, 10:42:45 AM) Bill Taylor: WH offered three windows: the weeks of September 9, 16 and 30. The Ukrainians want to make one trip, so either the week before UNGA or the week after. Bill is back in Tim's court.
(8/1/19, 11:03:57 AM) Kurt Volker: Thanks! I'm seeing Tim tomorrow and will ask. I guess the week of 16th in this case makes most sense. A shame not to do it 3 weeks earlier...
(8/1/19, 11:06:47 AM) Bill Taylor: Yes, but let Tim handle it!
(8/1/19, 11:07:21 AM) Kurt Volker: Of course!
(8/1/19, 11:07:45 AM) Gordon Sondland: This team works like a Swiss Watch
(8/1/19, 11:08:28 AM) Kurt Volker: Or a Timex... takas a licking and keeps on ticking... :)
(8/1/19, 11:58:28 AM) Bill Taylor: I know about the licking part
(8/3/19, 6:27:26 AM) Bill Taylor: Standing by to hear from Tim who had hoped to have a date by yesterday.
(8/3/19, 6:34:01 AM) Bill Taylor: On another topic, we just met a staffed from the Senate Armed Services Committee. Very supportive. But also very concerned that the message on Ukraine in Washington is neutral at best and negative in many spheres -- the Russian message: Ukraine is lost, totally corrupt, beyond saving not worth investing in. Makes these staffers' jobs harder -- increase military support to Ukraine. (They had heard about the proposed pause in security assistance to Ukraine.) Kurt, we may need Steve Hadley to reengage.
(8/3/19, 11:19:50 AM) Gordon Sondland: I have a sec call w Tim Mon. Sounds like bad news. Kurt, call if u have a sec. thx
(8/3/19, 1:39:17 PM) Kurt Volker: Hi all -- Gordon -- will call in a bit -- had a long talk w Tim on Friday. Seeing steve H on Thursday. We just keep working it...
(8/4/19, 8:52:00 AM) Bill Taylor: I just talked to Tim secure. He's looking forward to talking with you, Gordon, tomorrow. Kurt is right -- work to do.
(8/6/19, 4:15:13 AM) Bill Taylor: Now that we have all three talked with Tim, what's our strategy?
(8/6/19, 7:00:55 AM) Kurt Volker: Keep going...
(8/6/19, 7:01:35 AM) Kurt Volker: Formally, WH asked for a preference on week from Ukraine, and Ukraine responded?
(8/6/19, 7:02:05 AM) Kurt Volker: There should be a paper going up that seeks a decision based on that, no?
(8/6/19, 7:57:32 AM) Bill Taylor: Ukraine responded saying that they want to plan one trip, so the week before UNGA or the week after works. The week of September 9 doesn't. But my conversation with Tim on Sunday did not fill me with hope that they will agree on a date any time soon unless, Tim said, "Gordon turns it around."
(8/6/19, 7:59:21 AM) Bill Taylor: Gordon, you talked to Tim yesterday, right? Is that your sense? (Tim actually said, "Unless Gordon turns it around like he did with the phone call."
(8/6/19, 8:27:12 AM) Bill Taylor: So, Kurt, I don't think a paper is going up -- at least as of Sunday.
(8/6/19, 10:31:17 AM) Kurt Volker: That does sound right...
(8/6/19, 10:27:04 AM) Gordon Sondland: Tim and I had to bump secure till Thurs morning. I am working the problem however
(8/29/19, 3:00:42 PM) Bill Taylor: Meeting on for 2:40 Sunday afternoon
(8/29/19, 3:01:01 PM) Kurt Volker: Full bilat?
(8/29/19, 3:01:28 PM) Bill Taylor: Yup, an hour.
(8/29/19, 3:01:48 PM) Kurt Volker: Outstanding!!
(8/29/19, 3:02:08 PM) Gordon Sondland: Fantastic News Bill
(8/29/19, 3:02:55 PM) Gordon Sondland: Vlad must have made quite the impression on John B
(8/29/19, 3:03:01 PM) Bill Taylor: You are listed as a participant, Gordon.
(8/29/19, 3:04:10 PM) Bill Taylor: He did have a good, long meeting.
(8/29/19, 3:04:43 PM) Bill Taylor: Does this mean no Washington meeting?

(8/29/19, 3:05:02 PM) Kurt Volker: Just the opposite — should open the door
(8/29/19, 3:05:33 PM) Bill Taylor: Hope you are right
(8/30/19, 12:14:57 AM) Bill Taylor: Trip canceled
(8/30/19, 12:16:02 AM) Kurt Volker: Hope VPOTUS keeps the bilat — and tees up WH visit..
(8/30/19, 12:16:18 AM) Kurt Volker: And hope Gordon and Perry still going..
(8/30/19, 5:31:14 AM) Gordon Sandland: I am going. Pompeo is speaking to Potus today to see if he can go.
(9/1/19, 12:08:57 PM) Bill Taylor: Are we now saying that security assistance and WH meeting are conditioned on investigations?
(9/1/19, 12:42:29 PM) Gordon Sandland: Call me
(9/3/19, 11:49:46 AM) Bill Taylor: Defense Minister Zagorodnyuk is calling you both about security assistance. I think Kurt talked with him last night.
(9/4/19, 9:55:18 AM) Kurt Volker: Yes — we had a good talk — Bill — I'll call you later today
(9/4/19, 11:08:05 AM) Bill Taylor: Sounds good. Am heading to the airport to pick up Senators Johnson and Murphy. Messages for them?
(9/4/19, 12:42:20 PM) Kurt Volker: Thank you for the letter!! And push for WH visit..
(9/4/19, 12:42:44 PM) Kurt Volker: Being denied visas for Russia is a badge of honor
(9/4/19, 12:44:03 PM) Kurt Volker: Even more convinced of our assessment after inauguration— zelenskyy is the real deal and he needs our support
(9/4/19, 3:22:02 PM) Bill Taylor: Made those points. They are in exactly the right place.
(9/12/19, 12:08:40 AM) Kurt Volker: Hi — got an email overnight from SASC — says hold is lifted. Let's verify..
(9/12/19, 12:10:19 AM) Bill Taylor: Got the same message. Checking with NSC
(9/12/19, 12:10:49 AM) Kurt Volker: Great - thanks! Let me know what you hear!
(9/12/19, 3:56:27 AM) Kurt Volker: <https://www.rferl.org/a/ukraine-s-zelenskiy-talks-business-with-oligarch-kolomoyskiy/30157530.html>
(9/12/19, 3:58:08 AM) Bill Taylor: Yup
(9/12/19, 3:58:31 AM) Kurt Volker: Will be interesting to talk w Honcharuk on Saturday
(9/12/19, 3:59:09 AM) Bill Taylor: Yes

[6/28/19, 3:12:31 AM] Gordon Sondland: Messages to this chat and calls are now secured with end-to-end encryption.
[6/28/19, 3:12:31 AM] Gordon Sondland: Pls call. Urgent. Thx
[7/10/19, 3:53:48 PM] Gordon Sondland: Missed voice call
[7/10/19, 9:57:14 PM] Kurt Volker: Hi Gordon - sorry I missed you earlier. Can talk tomorrow early morning? Kurt
[7/10/19, 10:24:41 PM] Gordon Sondland: Will call
[7/10/19, 10:30:45 PM] Gordon Sondland: Missed voice call
[7/22/19, 4:27:55 PM] Kurt Volker: Orchestrated a great phone call w Rudy and Yermak. They are going to get together when Rudy goes to Madrid in a couple of weeks.
[7/22/19, 4:28:08 PM] Kurt Volker: In the meantime, Rudy is now advocating for phone call
[7/22/19, 4:28:26 PM] Kurt Volker: I have call into Fiona's replacement and will call Bolton if needed.
[7/22/19, 4:28:48 PM] Kurt Volker: But I can tell Bolton and you can tell Mick that Rudy agrees on a call, if that helps
[7/22/19, 4:30:10 PM] Gordon Sondland: I talked to Tim Morrison. (Fiona's replacement). He is pushing but feel free as well.

We still meeting in Kyiv Fri?

[7/22/19, 4:30:35 PM] Kurt Volker: Yes - Morrison. We're talking in 5
[7/22/19, 4:31:05 PM] Kurt Volker: And yes - do come to kyiv! I'll go east on Thursday (welcome there too) and go to kyiv on Friday.
[7/22/19, 4:32:00 PM] Gordon Sondland: Tim is a good guy. Tell him we are in touch and synced. I wont make East but will be in Kyiv Thu night/all day Fri
[7/22/19, 4:33:52 PM] Kurt Volker: Great!
[7/25/19, 7:54:09 AM] Gordon Sondland: Missed voice call
[7/25/19, 7:54:20 AM] Gordon Sondland: Call asap
[7/25/19, 9:35:32 AM] Kurt Volker: Hi Gordon - got your message. Had a great lunch w Yermak and then passed your message to him. He will see you tomorrow. Think everything in place
[7/26/19, 9:34:51 AM] Kurt Volker: Hi Gordon - when are you flying, and when can I call you about Sweden? Kurt
[7/26/19, 9:39:42 AM] Gordon Sondland: Call
[7/26/19, 9:41:03 AM] Kurt Volker: When we land - still in halo - maybe another 45 min?
[7/26/19, 9:41:12 AM] Gordon Sondland: Sure
[7/26/19, 4:54:58 PM] Kurt Volker: Hi Gordon - we could not get a chance to call. Free for 2 min or call tomorrow? Kurt
[7/26/19, 11:23:43 PM] Gordon Sondland: In air. On ground after 10am Brussels time
[7/27/19, 12:43:35 AM] Kurt Volker: Ok - will call
[7/27/19, 6:14:08 AM] Kurt Volker: Hi Gordon - have an hour now - let's talk when you can.
[7/27/19, 6:15:50 AM] Kurt Volker: I want to connect you to the Swedish ambassador in Washington, who was dispatched from her vacation to go back to work...
[7/29/19, 9:29:26 AM] Kurt Volker: Hi Gordon - can you take a call?
[7/29/19, 9:30:27 AM] Gordon Sondland: Yes
[7/29/19, 10:58:47 AM] Kurt Volker: I gather potus is getting a Sweden briefing this afternoon - Swedes met with O'Brien, and somehow WH lawyer thinks they did not take the meeting....

crazy...

[7/29/19, 12:05:24 PM] Gordon Sondland: Missed voice call
[7/29/19, 12:05:41 PM] Kurt Volker: Call you back in 15
[7/29/19, 12:05:52 PM] Gordon Sondland: Sure
[8/1/19, 7:05:41 AM] Gordon Sondland: I am on Eastern time. Can u talk?
[8/4/19, 4:21:51 PM] Kurt Volker: Gordon - on east coast time?
[8/4/19, 4:22:29 PM] Gordon Sondland: West coast
[8/4/19, 4:22:46 PM] Kurt Volker: Even better - call in a few?
[8/4/19, 4:22:54 PM] Gordon Sondland: ♦
[8/9/19, 10:36:23 AM] Kurt Volker: Got a minute? Best - Kurt
[8/9/19, 10:56:31 AM] Gordon Sondland: Missed voice call
[8/9/19, 5:35:53 PM] Gordon Sondland: Morrison ready to get dates as soon as Yermak confirms.
[8/9/19, 5:46:21 PM] Kurt Volker: Excellent!! How did you sway him? :)
[8/9/19, 5:47:34 PM] Gordon Sondland: Not sure i did. I think potus really wants the deliverable
[8/9/19, 5:48:00 PM] Kurt Volker: But does he know that?
[8/9/19, 5:48:09 PM] Gordon Sondland: Yap
[8/9/19, 5:48:37 PM] Gordon Sondland: Clearly lots of convos going on
[8/9/19, 5:48:38 PM] Kurt Volker: Ok - then that's good it's coming from two separate sources
[8/9/19, 5:51:18 PM] Gordon Sondland: To avoid misunderstandings, might be helpful to ask Andrey for a draft statement (embargoed) so that we can see exactly what they propose to cover. Even though Ze does a live presser they can still summarize in a brief statement. Thoughts?
[8/9/19, 5:51:42 PM] Kurt Volker: Agree!
[8/10/19, 11:58:56 AM] Gordon Sondland: Anything from Andrey?
[8/10/19, 1:22:51 PM] Kurt Volker: Not yet - will give him some time
[8/10/19, 1:23:24 PM] Gordon Sondland: I briefed Ulrich. All good
[8/10/19, 5:12:44 PM] Kurt Volker: This came in from Andrey - I suggested we talk at my 10am / his 5pm tomorrow...
[8/10/19, 5:12:49 PM] Kurt Volker: Hi Kurt. Please let me know when you can talk. I think it's possible to make this declaration and mention all these things. Which we discussed yesterday. But it will be logic to do after we receive a confirmation of date. We inform about date of visit and about our expectations and our guarantees for future visit. Let discuss it
[8/10/19, 5:14:08 PM] Gordon Sondland: If that's 10am Eastern, I can join you if you wish.
[8/10/19, 5:14:31 PM] Kurt Volker: Yes - hoping you can!
[8/10/19, 5:15:51 PM] Gordon Sondland: Great. You want to call State ops or shall I?
[8/10/19, 5:15:05 PM] Kurt Volker: No - I'll just do via what's App
[8/10/19, 5:15:28 PM] Gordon Sondland: Perfect. Talk tomorrow.
[8/11/19, 9:48:53 AM] Kurt Volker: Hi Gordon - ready in 10 min?
[8/11/19, 9:49:08 AM] Gordon Sondland: Yes
[8/11/19, 9:51:16 AM] Kurt Volker: He needs another 15 min. So 10:15

(8/11/19, 9:52:54 AM) Gordon Sondland: Ok
 (8/13/19, 9:20:21 AM) Kurt Volker: You free?
 (8/13/19, 10:26:44 AM) Kurt Volker: Special attention should be paid to the problem of interference in the political processes of the United States, especially with the alleged involvement of some Ukrainian politicians. I want to declare that this is unacceptable. We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, including those involving Burisma and the 2016 U.S. elections, which in turn will prevent the recurrence of this problem in the future.
 (8/13/19, 10:27:20 AM) Gordon Sondland: Perfect. Lets send to Andrey after our call
 (8/13/19, 10:27:53 AM) Kurt Volker: Yes
 (8/13/19, 10:38:57 AM) Gordon Sondland: Missed voice call
 (8/13/19, 10:39:27 AM) Gordon Sondland: Missed group voice call
 (8/13/19, 10:42:20 AM) Gordon Sondland: Missed voice call
 (8/13/19, 10:49:20 AM) Gordon Sondland: Missed voice call
 (8/13/19, 2:44:59 PM) Gordon Sondland: U going to call Andrey first tomorrow?
 (8/15/19, 7:26:36 AM) Gordon Sondland: Hi, did you connect with Andrey?
 (8/15/19, 7:34:14 AM) Kurt Volker: Not yet - will talk w/ bill and then call him later today. Want to know our status on asking them to investigate
 (8/15/19, 7:51:49 AM) Gordon Sondland: Good thought
 (8/17/19, 2:48:40 PM) Gordon Sondland: Yermak just tapped on me about dates. Havent responded. Any updates?
 (8/17/19, 3:02:55 PM) Kurt Volker: Hi - I've got nothing. Bill had no info on requesting an investigation - calling a friend at DOJ (Bruce Schwartz)
 (8/17/19, 3:06:19 PM) Gordon Sondland: Do we still want Ze to give us an unequivocal draft with 2016 and Borisma?
 (8/17/19, 4:34:21 PM) Kurt Volker: That's the clear message so far ...
 (8/17/19, 4:34:39 PM) Kurt Volker: I'm hoping we can put something out there that causes him to respond with that
 (8/17/19, 4:41:09 AM) Gordon Sondland: Unless you think otherwise I will return Andrey's call tomorrow and suggest they send us a clean draft.
 (8/17/19, 6:57:11 PM) Kurt Volker: Let's talk tomorrow my morning so you have all latest. We spoke for about 30 min today
 (8/17/19, 6:58:05 PM) Gordon Sondland: Deal
 (8/18/19, 7:13:04 AM) Gordon Sondland: Call when up
 (8/18/19, 10:11:00 AM) Kurt Volker: Hi Gordon - am free anytime - Kurt
 (8/19/19, 8:56:25 AM) Gordon Sondland: Drove the "larger issue" home with Yermak. Not about just a meeting but the relationship per se. please convey to John. Also Yermak raised the Bolton visit and said he would appreciate us both joining the meetings. Kindly convey. Thx
 (8/19/19, 7:27:50 PM) Gordon Sondland: Missed voice call
 (8/19/19, 7:27:59 PM) Gordon Sondland: Missed voice call
 (8/23/19, 10:49:20 AM) Gordon Sondland: Missed voice call
 (8/23/19, 10:49:31 AM) Gordon Sondland: New news. Pls call
 (8/23/19, 12:08:40 PM) Kurt Volker: Thanks -a just called - ring back when you can
 (8/28/19, 5:37:17 PM) Gordon Sondland: Missed voice call
 (8/28/19, 5:37:32 PM) Gordon Sondland: Call at your convenience
 (8/28/19, 5:52:21 PM) Kurt Volker: Is it ok to call now?
 (9/1/19, 11:59:02 AM) Kurt Volker: Hi Gordon - how was pence - Ze meeting?
 (9/2/19, 3:51:50 PM) Gordon Sondland: Missed voice call
 (9/2/19, 4:08:31 PM) Gordon Sondland: Missed voice call
 (9/2/19, 4:10:03 PM) Gordon Sondland: Missed voice call
 (9/8/19, 1:16:57 PM) Gordon Sondland: Missed voice call
 (9/9/19, 1:24:44 AM) Gordon Sondland: Yes, please call soonest
 (9/9/19, 1:42:48 AM) Gordon Sondland: Missed voice call
 (9/9/19, 1:43:27 AM) Gordon Sondland: Missed voice call
 (9/9/19, 1:43:35 AM) Gordon Sondland: Try me back
 (9/9/19, 1:55:22 AM) Gordon Sondland: Missed voice call
 (9/9/19, 1:56:02 AM) Kurt Volker: Need a few min still - chairing a discussion - but will pass baton when I can and call
 (9/9/19, 1:56:15 AM) Gordon Sondland: 
 (9/9/19, 3:25:08 AM) Kurt Volker: I am free for about 90 min if you can call. Thx - kv
 (9/9/19, 4:20:41 AM) Gordon Sondland: Missed voice call
 (9/9/19, 4:20:56 AM) Gordon Sondland: Just called
 (9/11/19, 1:57:21 PM) Gordon Sondland: Pls call
 (9/12/19, 4:25:49 AM) Kurt Volker: Rompetrol II Investigation_Background_September 2019 - 2 pages <attached: 0000011-Rompetrol II Investigation_Background_September 2019.pdf>
 (9/12/19, 4:27:15 AM) Kurt Volker: Hi Gordon - just sent the background on US businessman Phil Stephenson's case. Hope Ana can get a handle on this. Best - Kurt
 (9/12/19, 6:07:41 AM) Gordon Sondland: Will take up when I see her Friday
 (9/12/19, 6:10:08 AM) Kurt Volker: Great - thanks
 (9/12/19, 12:15:24 PM) Gordon Sondland: Missed voice call
 (9/12/19, 4:28:41 PM) Kurt Volker: Hi Gordon - Any news from call to Lisa / WH?
 (9/12/19, 4:29:24 PM) Kurt Volker: Great news otherwise on security assistance - and great statements from Inhofe and McConnell to back it up
 (9/12/19, 5:17:01 PM) Gordon Sondland: Call me in a m
 (9/13/19, 11:43:04 PM) Kurt Volker: Hi Gordon - hearing sept 25 for bilat at UNGA. Have you heard?
 (9/14/19, 12:06:18 AM) Gordon Sondland: Nope, but we should be there. Perry is going to be in NY as well for nuclear signing I am working on with RO. We need to all be manifested for the bilat
 (9/14/19, 12:12:29 AM) Kurt Volker: Yes - will push for that
 (9/14/19, 12:29:43 AM) Gordon Sondland: I will send Morrison an email as well and will copy you.
 (9/14/19, 9:25:22 AM) Gordon Sondland: Missed voice call
 (9/20/19, 4:20:39 PM) Kurt Volker: Hi Gordon - are you stateside or in Brussels?
 (9/20/19, 4:20:46 PM) Kurt Volker: I just got to NY for a dinner
 (9/20/19, 11:53:38 PM) Gordon Sondland: Just saw this. Call at convenience. In BRU. NY on Sun

(9/22/19, 12:03:58 PM) Kurt Volker: Landed yet? Will call
(9/22/19, 12:04:38 PM) Gordon Sondland: Yes, can u meet with S this afternoon?
(9/22/19, 12:05:02 PM) Kurt Volker: I'm in DC — but would be happy to join by phone
(9/22/19, 3:54:32 PM) Gordon Sondland: U dialing in?
(9/22/19, 3:54:44 PM) Gordon Sondland: At 5:45
(9/22/19, 3:58:51 PM) Kurt Volker: Yes — secure from state via ops
(9/22/19, 7:21:09 PM) Kurt Volker: Spoke w Rudy per guidance from S. He said he will use the statement and talk w John Solomon. Urged me to do so as well. Will stick with what we discussed. If you are with S - please pass along. Thanks!
(9/24/19, 10:39:50 AM) Kurt Volker: Hi Gordon - can you make dinner with me and Andrey and Vadym at 9pm? Venue TBD
(9/24/19, 10:46:06 AM) Gordon Sondland: I am taking Reeker, Morgan and another 7 to dinner at Cipriani at 8. Maybe drop by later? Where will u be.
(9/24/19, 10:46:49 AM) Kurt Volker: Working on that: Can you recommend steakhouse in midtown?
(9/24/19, 10:47:01 AM) Gordon Sondland: The Strip House
(9/24/19, 10:50:14 AM) Kurt Volker: Done — reservation for 4 at 9pm. Join when you can
(9/24/19, 10:53:31 AM) Gordon Sondland: Ok!
(9/24/19, 11:14:18 AM) Kurt Volker: 15 W 44th St
(9/24/19, 9:31:24 PM) Kurt Volker: We are here - hope you can make it
(9/24/19, 10:10:38 PM) Kurt Volker: ??
(9/24/19, 10:45:12 PM) Kurt Volker: Ok — we are taking off. Let's talk when you can
(9/25/19, 7:53:10 AM) Gordon Sondland: Missed voice call
(9/25/19, 7:54:05 AM) Gordon Sondland: Sorry about last night. Felt like shit and went to bed at 8. Didn't even go to my own dinner. Much better today. Call when able
(9/25/19, 8:00:56 AM) Kurt Volker: Sorry to hear that! Hope you feel better. Need to discuss one urgent topic - best - Kurt
(9/25/19, 7:49:01 PM) Kurt Volker: Breakfast with Andrey at Park Hyatt at 8am??
(9/25/19, 8:03:43 PM) Gordon Sondland: If you guys could come to the Peninsula for bkfst my treat. I have to be on a call just prior.
(9/25/19, 8:41:14 PM) Gordon Sondland: Missed voice call
(9/25/19, 10:08:57 PM) Gordon Sondland: Missed voice call
(9/25/19, 11:09:33 PM) Kurt Volker: Sorry Gordon — was separated from my phone. He has an appointment immediately after at the Hyatt.... so thought best to meet there ... is it ok?
(9/25/19, 11:36:57 PM) Kurt Volker: 57th street
(9/26/19, 4:59:07 AM) Gordon Sondland: Kurt, sorry cant make bkfst. Do you have a moment to chat by phone or in person after your bkfst?
(9/26/19, 5:31:14 AM) Kurt Volker: Could you make it if we went to peninsula at 8? Otherwise - yes - let's find time to talk later in morning.
(9/26/19, 5:41:07 AM) Gordon Sondland: Cant make 8 but can we meet around 9:30 or 10?
(9/26/19, 5:43:42 AM) Kurt Volker: No - Andrey has meetings w Ze then. I can call you in that time range - and he can call later I am sure as well
(9/26/19, 5:44:04 AM) Gordon Sondland: Just wanted to meet with you
(9/26/19, 5:47:39 AM) Kurt Volker: Got it — going to be tough to meet in person — I've got several meetings and calls kind of stacked up in between. Let's talk today. Y phone and maybe longer call tomorrow if needed

(9/8/19, 11:20:08 AM) Ukraine: Messages to this group are now secured with end-to-end encryption.
(9/8/19, 11:20:08 AM) Gordon Sondland created group "Ukraine"
(9/8/19, 11:20:09 AM) Gordon Sondland added you
(9/8/19, 11:20:32 AM) Gordon Sondland: Guys, multiple convos with Ze, Potus. Lets talk
(9/8/19, 11:21:41 AM) Bill Taylor: How is fine with me
(9/8/19, 11:26:13 AM) Kurt Volker: Try again — could not hear
(9/8/19, 11:40:11 AM) Bill Taylor: Gordon and I just spoke. I can brief you if you and Gordon don't connect
(9/8/19, 12:37:28 PM) Bill Taylor: The nightmare is they give the interview and don't get the security assistance. The Russians love it. (And I quit.)
(9/8/19, 5:04:16 PM) Kurt Volker: I'm not in the loop. Talk Monday?
(9/9/19, 12:16:42 AM) Gordon Sondland: Call at your convenience or let me know a good time. I am in Brussels
(9/9/19, 12:20:32 AM) Kurt Volker: Will do - just getting started here in Georgia — will step out and call in an hour or so a thanks!
(9/9/19, 12:31:06 AM) Bill Taylor: 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.
(9/9/19, 12:34:44 AM) Bill Taylor: Counting on you to be right about this interview, Gordon.
(9/9/19, 12:37:16 AM) Gordon Sondland: 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.
(9/9/19, 12:47:11 AM) Bill Taylor: As I said on the phone, I think it's crazy to withhold security assistance for help with a political campaign.
(9/9/19, 5:19:35 AM) Gordon Sondland: Bill, I believe you are incorrect about President Trump's intentions. The President has been crystal clear: no quid pro quo's 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 a call to discuss them directly. Thanks.
(9/9/19, 5:47:09 AM) Bill Taylor: I agree

POLITICO

PENGAD 800-531-6889
EXHIBIT
7
minority

KML

POLITICO

Q



Pro-Russia separatist soldiers celebrate in Lugansk, Ukraine, in 2014. | Spencer Platt/Getty Images

BUDGET & APPROPRIATIONS

Trump holds up Ukraine military aid meant to confront Russia

By CAITLIN EMMA and CONNOR O'BRIEN | 08/28/2019 06:11 PM EDT | Updated 08/29/2019 03:40 PM EDT

The Trump administration is slow-walking \$250 million in military assistance to Ukraine, annoying lawmakers and advocates who argue the funding is critical to keeping Russia at bay.

President Donald Trump asked his national security team to review the funding program, known as the Ukraine Security Assistance Initiative, in order to ensure the money is being used in the best interest of the United States, a senior administration official told POLITICO on Wednesday.

But the delays come amid questions over Trump's approach to Russia, after a weekend in which the president repeatedly seemed to downplay Moscow's military intervention in Ukraine and pushed for Russia to be reinstated into the Group of Seven, an annual gathering of the world's largest advanced economies. The review is also occurring amid a broader internal debate over whether to halt or cut billions of dollars in foreign aid.

United States military aid to Ukraine has long been seen as a litmus test for how strongly the American government is pushing back against Moscow.

The Trump administration in 2017 approved lethal arms sales to Ukraine, taking a step the Obama administration had never done. The move was seen as a sign that Trump's government was taking a hard-line approach to a revanchist Vladimir Putin despite the president's public rhetoric flattering the Russian leader. Scaling back that assistance could expose Trump to allegations that his policies are favoring Moscow.

POLITICO Playbook newsletter

Sign up today to receive the #1-rated newsletter in politics

Your email...

By signing up you agree to receive email newsletters or alerts from POLITICO. You can unsubscribe at any time.

For the 2019 fiscal year, lawmakers allocated \$250 million in security aid to Ukraine, including money for weapons, training, equipment and intelligence support. Specifically, Congress set aside \$50 million for weaponry.

Now, that funding is being called into question. The senior administration official, who asked to remain anonymous in order to discuss internal matters, said the president wants to ensure U.S. interests are being prioritized when it comes to foreign assistance, and is seeking assurances that other countries are "paying their fair share."

Defense Secretary Mark Esper and national security adviser John Bolton are among the officials who were asked to review the Ukraine security funding.

A senior Defense Department official told POLITICO that "the department has reviewed the foreign assistance package and supports it."

But the White House explanation that Trump wants to ensure the money is being spent properly isn't sitting well with lawmakers on Capitol Hill, where members of both parties have pushed to increase military assistance to Ukraine and U.S. military efforts to deter Russia in Eastern Europe.

There is "an at least temporary effect," said Rep. Tom Malinowski, a New Jersey Democrat who sits on the House Foreign Affairs Committee. "The bigger problem is that Trump is once again showing himself to be an asset to Russia."

Sen. Bob Menendez (D-N.J.), the ranking Democrat on the Senate Foreign Relations Committee, vowed that the administration's move "will be met with fierce opposition in Congress."

"Enough is enough," he said in a statement. "President Trump should stop worrying about disappointing Vladimir Putin and stand up for U.S. national security priorities."

The funds for Ukraine can't be spent while they're under review and the money expires at the Sept. 30 end of the fiscal year. The account was originally created by defense policy legislation enacted in late 2015 to help Ukraine battle pro-Russian separatists in Crimea after Moscow annexed the region in 2014.

"We are aware of an [Office of Management and Budget] hold on funding for the Ukraine Security Assistance Initiative," House Appropriations Committee spokesperson Evan Hollander said in a statement. "We have serious concerns about a freeze on these important appropriated funds, and we are urgently inquiring with the administration about why they are holding up these resources."

The House Armed Services Committee "is aware of the restriction, but have requested additional information about what it means and is applied to," an aide told POLITICO.

In a POLITICO op-ed in April, Senate Armed Services Chairman Jim Inhofe (R-Okla.) called for boosting funding for the Ukraine Security Assistance Initiative and argued that a bigger portion of the money "should go to support defensive lethal aid that will make Ukraine a more difficult target for Putin's aggression."

Trump is scheduled to meet this weekend in Warsaw, Poland, with Ukrainian President Volodymyr Zelensky.

The Trump administration's broader push to freeze or slash foreign aid that White House officials contend is wasteful has sparked intense bipartisan backlash, with lawmakers warning of a deteriorating relationship with the White House when it comes to the use of appropriated funds.

The administration dropped a plan last week amid congressional fury that would have cut more than \$4 billion across 10 areas of foreign assistance, including funds for international peacekeeping operations, narcotics control and global health efforts. The administration also backed off a similar plan last year.

Rep. Hal Rogers (R-Ky.), ranking member of the House Committee that oversees funding for the State Department, and Sen. Lindsey Graham (R-S.C.), a member of the Senate Foreign Relations and Appropriations committees, both warned Trump against the package of funding cuts.

Top Republicans and Democrats on the House Foreign Affairs Committee and Senate Foreign Relations Committee also sounded the alarm.

Daniel Fried, a career diplomat who has served in both Republican and Democratic administrations and was most recently the State Department coordinator for sanctions policy, said the review sends the wrong message to a Democratic ally under intense pressure from Moscow's aggressive behavior.

"If the Administration has a good reason for a sudden cut to security assistance to Ukraine, they should share it," Fried told POLITICO. "Ukraine's new leaders, in office through free and fair elections, have earned and deserve America's support, not mixed signals."

Trump has also withheld hundreds of millions of dollars in aid to Central America and sought to shuffle around federal funds in order to bolster Trump's immigration enforcement priorities.

For example, the administration plans to divert \$271 million from various Department of Homeland Security accounts — including \$155 million in federal disaster aid — to beef up funding for its immigration enforcement effort.

“It is of great concern that during the course of this administration, there has been a growing disconnect between the will of Congress ... and the department’s immigration enforcement proceedings, which often lack justification,” Rep. Lucille Roybal-Allard (D-Calif.), who chairs the House subcommittee that funds DHS, said in a recent letter to acting Homeland Security Secretary Kevin McAleenan.

In a statement on Wednesday, a FEMA spokesperson said the move won’t affect long-term recovery efforts underway in states and territories ravaged by hurricanes, wildfires and flooding.

Natasha Bertrand contributed to this report.

[About Us](#)

[Advertising](#)

[Breaking News Alerts](#)

[Careers](#)

[Credit Card Payments](#)

[Digital Edition](#)

[FAQ](#)

[Feedback](#)

[Headlines](#)

[Photos](#)

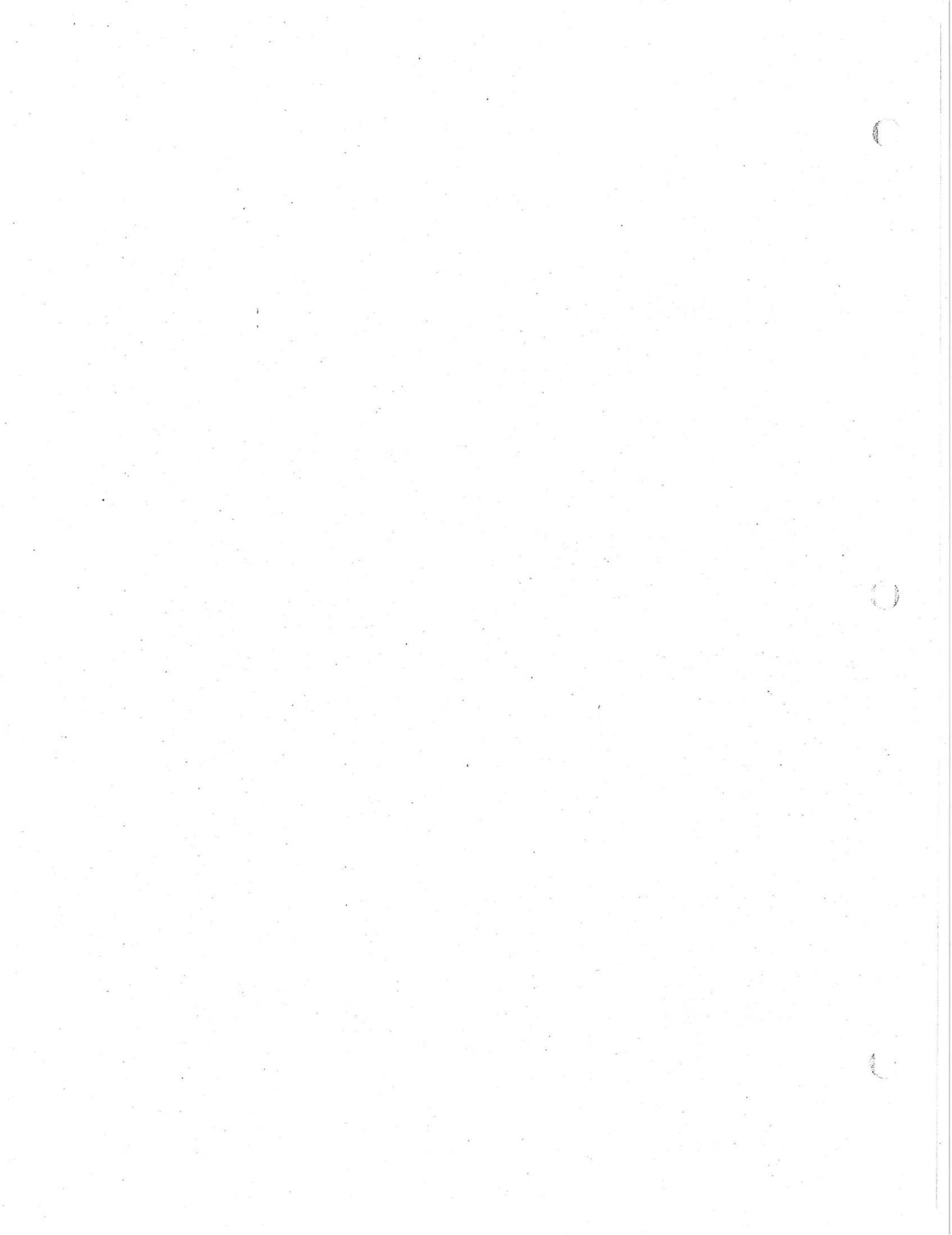
[POWERJobs](#)

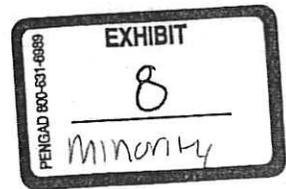
[Press](#)

[Print Subscriptions](#)

[RSS](#)

[Site Map](#)





UNCLASSIFIED

August 12, 2019

The Honorable Richard Burr
Chairman
Select Committee on Intelligence
United States Senate

The Honorable Adam Schiff
Chairman
Permanent Select Committee on Intelligence
United States House of Representatives

Dear Chairman Burr and Chairman Schiff:

I am reporting an "urgent concern" in accordance with the procedures outlined in 50 U.S.C. §3033(k)(5)(A). This letter is UNCLASSIFIED when separated from the attachment.

In the course of my official duties, I have received information from multiple U.S. Government officials that the President of the United States is using the power of his office to solicit interference from a foreign country in the 2020 U.S. election. This interference includes, among other things, pressuring a foreign country to investigate one of the President's main domestic political rivals. The President's personal lawyer, Mr. Rudolph Giuliani, is a central figure in this effort. Attorney General Barr appears to be involved as well.

- Over the past four months, more than half a dozen U.S. officials have informed me of various facts related to this effort. The information provided herein was relayed to me in the course of official interagency business. It is routine for U.S. officials with responsibility for a particular regional or functional portfolio to share such information with one another in order to inform policymaking and analysis.
- I was not a direct witness to most of the events described. However, I found my colleagues' accounts of these events to be credible because, in almost all cases, multiple officials recounted fact patterns that were consistent with one another. In addition, a variety of information consistent with these private accounts has been reported publicly.

I am deeply concerned that the actions described below constitute "a serious or flagrant problem, abuse, or violation of law or Executive Order" that "does not include differences of opinions concerning public policy matters," consistent with the definition of an "urgent concern" in 50 U.S.C. §3033(k)(5)(G). I am therefore fulfilling my duty to report this information, through proper legal channels, to the relevant authorities.

- I am also concerned that these actions pose risks to U.S. national security and undermine the U.S. Government's efforts to deter and counter foreign interference in U.S. elections.

1
UNCLASSIFIED

UNCLASSIFIED

To the best of my knowledge, the entirety of this statement is unclassified when separated from the classified enclosure. I have endeavored to apply the classification standards outlined in Executive Order (EO) 13526 and to separate out information that I know or have reason to believe is classified for national security purposes.¹

- If a classification marking is applied retroactively, I believe it is incumbent upon the classifying authority to explain why such a marking was applied, and to which specific information it pertains.

I. The 25 July Presidential phone call

Early in the morning of 25 July, the President spoke by telephone with Ukrainian President Volodymyr Zelenskyy. I do not know which side initiated the call. This was the first publicly acknowledged call between the two leaders since a brief congratulatory call after Mr. Zelenskyy won the presidency on 21 April.

Multiple White House officials with direct knowledge of the call informed me that, after an initial exchange of pleasantries, the President used the remainder of the call to advance his personal interests. Namely, he sought to pressure the Ukrainian leader to take actions to help the President's 2020 reelection bid. According to the White House officials who had direct knowledge of the call, the President pressured Mr. Zelenskyy to, inter alia:

- initiate or continue an investigation² into the activities of former Vice President Joseph Biden and his son, Hunter Biden;
- assist in purportedly uncovering that allegations of Russian interference in the 2016 U.S. presidential election originated in Ukraine, with a specific request that the Ukrainian leader locate and turn over servers used by the Democratic National Committee (DNC) and examined by the U.S. cyber security firm CrowdStrike,³ which initially reported that Russian hackers had penetrated the DNC's networks in 2016; and
- meet or speak with two people the President named explicitly as his personal envoys on these matters, Mr. Giuliani and Attorney General Barr, to whom the President referred multiple times in tandem.

¹ Apart from the information in the Enclosure, it is my belief that none of the information contained herein meets the definition of "classified information" outlined in EO 13526, Part 1, Section 1.1. There is ample open-source information about the efforts I describe below, including statements by the President and Mr. Giuliani. In addition, based on my personal observations, there is discretion with respect to the classification of private comments by or instructions from the President, including his communications with foreign leaders; information that is not related to U.S. foreign policy or national security—such as the information contained in this document, when separated from the Enclosure—is generally treated as unclassified. I also believe that applying a classification marking to this information would violate EO 13526, Part 1, Section 1.7, which states: "In no case shall information be classified, continue to be maintained as classified, or fail to be declassified in order to: (1) conceal violations of law, inefficiency, or administrative error; [or] (2) prevent embarrassment to a person, organization, or agency."

² It is unclear whether such a Ukrainian investigation exists. See Footnote #7 for additional information.

³ I do not know why the President associates these servers with Ukraine. (See, for example, his comments to *Fox News* on 20 July: "And Ukraine. Take a look at Ukraine. How come the FBI didn't take this server? Podesta told them to get out. He said, get out. So, how come the FBI didn't take the server from the DNC?")

UNCLASSIFIED

The President also praised Ukraine's Prosecutor General, Mr. Yuriy Lutsenko, and suggested that Mr. Zelenskyy might want to keep him in his position. (Note: Starting in March 2019, Mr. Lutsenko made a series of public allegations—many of which he later walked back—about the Biden family's activities in Ukraine, Ukrainian officials' purported involvement in the 2016 U.S. election, and the activities of the U.S. Embassy in Kyiv. See Part IV for additional context.)

The White House officials who told me this information were deeply disturbed by what had transpired in the phone call. They told me that there was already a "discussion ongoing" with White House lawyers about how to treat the call because of the likelihood, in the officials' retelling, that they had witnessed the President abuse his office for personal gain.

The Ukrainian side was the first to publicly acknowledge the phone call. On the evening of 25 July, a readout was posted on the website of the Ukrainian President that contained the following line (translation from original Russian-language readout):

- "Donald Trump expressed his conviction that the new Ukrainian government will be able to quickly improve Ukraine's image and complete the investigation of corruption cases that have held back cooperation between Ukraine and the United States."

Aside from the above-mentioned "cases" purportedly dealing with the Biden family and the 2016 U.S. election, I was told by White House officials that no other "cases" were discussed.

Based on my understanding, there were approximately a dozen White House officials who listened to the call—a mixture of policy officials and duty officers in the White House Situation Room, as is customary. The officials I spoke with told me that participation in the call had not been restricted in advance because everyone expected it would be a "routine" call with a foreign leader. I do not know whether anyone was physically present with the President during the call.

- In addition to White House personnel, I was told that a State Department official, Mr. T. Ulrich Brechbuhl, also listened in on the call.
- I was not the only non-White House official to receive a readout of the call. Based on my understanding, multiple State Department and Intelligence Community officials were also briefed on the contents of the call as outlined above.

II. Efforts to restrict access to records related to the call

In the days following the phone call, I learned from multiple U.S. officials that senior White House officials had intervened to "lock down" all records of the phone call, especially the official word-for-word transcript of the call that was produced—as is customary—by the White House Situation Room. This set of actions underscored to me that White House officials understood the gravity of what had transpired in the call.

- White House officials told me that they were "directed" by White House lawyers to remove the electronic transcript from the computer system in which such transcripts are typically stored for coordination, finalization, and distribution to Cabinet-level officials.

UNCLASSIFIED

- Instead, the transcript was loaded into a separate electronic system that is otherwise used to store and handle classified information of an especially sensitive nature. One White House official described this act as an abuse of this electronic system because the call did not contain anything remotely sensitive from a national security perspective.

I do not know whether similar measures were taken to restrict access to other records of the call, such as contemporaneous handwritten notes taken by those who listened in.

III. Ongoing concerns

On 26 July, a day after the call, U.S. Special Representative for Ukraine Negotiations Kurt Volker visited Kyiv and met with President Zelenskyy and a variety of Ukrainian political figures. Ambassador Volker was accompanied in his meetings by U.S. Ambassador to the European Union Gordon Sondland. Based on multiple readouts of these meetings recounted to me by various U.S. officials, Ambassadors Volker and Sondland reportedly provided advice to the Ukrainian leadership about how to “navigate” the demands that the President had made of Mr. Zelenskyy.

I also learned from multiple U.S. officials that, on or about 2 August, Mr. Giuliani reportedly traveled to Madrid to meet with one of President Zelenskyy’s advisers, Andriy Yermak. The U.S. officials characterized this meeting, which was not reported publicly at the time, as a “direct follow-up” to the President’s call with Mr. Zelenskyy about the “cases” they had discussed.

- Separately, multiple U.S. officials told me that Mr. Giuliani had reportedly privately reached out to a variety of other Zelenskyy advisers, including Chief of Staff Andriy Bohdan and Acting Chairman of the Security Service of Ukraine Ivan Bakanov.⁴
- I do not know whether those officials met or spoke with Mr. Giuliani, but I was told separately by multiple U.S. officials that Mr. Yermak and Mr. Bakanov intended to travel to Washington in mid-August.

On 9 August, the President told reporters: “I think [President Zelenskyy] is going to make a deal with President Putin, and he will be invited to the White House. And we look forward to seeing him. He’s already been invited to the White House, and he wants to come. And I think he will. He’s a very reasonable guy. He wants to see peace in Ukraine, and I think he will be coming very soon, actually.”

IV. Circumstances leading up to the 25 July Presidential phone call

Beginning in late March 2019, a series of articles appeared in an online publication called *The Hill*. In these articles, several Ukrainian officials—most notably, Prosecutor General Yuriy Lutsenko—made a series of allegations against other Ukrainian officials and current and former U.S. officials. Mr. Lutsenko and his colleagues alleged, inter alia:

⁴ In a report published by the Organized Crime and Corruption Reporting Project (OCCRP) on 22 July, two associates of Mr. Giuliani reportedly traveled to Kyiv in May 2019 and met with Mr. Bakanov and another close Zelenskyy adviser, Mr. Serhiy Shefir.

UNCLASSIFIED

- that they possessed evidence that Ukrainian officials—namely, Head of the National Anticorruption Bureau of Ukraine Artem Sytnyk and Member of Parliament Serhiy Leshchenko—had “interfered” in the 2016 U.S. presidential election, allegedly in collaboration with the DNC and the U.S. Embassy in Kyiv;⁵
- that the U.S. Embassy in Kyiv—specifically, U.S. Ambassador Marie Yovanovitch, who had criticized Mr. Lutsenko’s organization for its poor record on fighting corruption—had allegedly obstructed Ukrainian law enforcement agencies’ pursuit of corruption cases, including by providing a “do not prosecute” list, and had blocked Ukrainian prosecutors from traveling to the United States expressly to prevent them from delivering their “evidence” about the 2016 U.S. election;⁶ and
- that former Vice President Biden had pressured former Ukrainian President Petro Poroshenko in 2016 to fire then Ukrainian Prosecutor General Viktor Shokin in order to quash a purported criminal probe into Burisma Holdings, a Ukrainian energy company on whose board the former Vice President’s son, Hunter, sat.⁷

In several public comments,⁸ Mr. Lutsenko also stated that he wished to communicate directly with Attorney General Barr on these matters.⁹

The allegations by Mr. Lutsenko came on the eve of the first round of Ukraine’s presidential election on 31 March. By that time, Mr. Lutsenko’s political patron, President Poroshenko, was trailing Mr. Zelenskyy in the polls and appeared likely to be defeated. Mr. Zelenskyy had made known his desire to replace Mr. Lutsenko as Prosecutor General. On 21 April, Mr. Poroshenko lost the runoff to Mr. Zelenskyy by a landslide. See Enclosure for additional information.

⁵ Mr. Sytnyk and Mr. Leshchenko are two of Mr. Lutsenko’s main domestic rivals. Mr. Lutsenko has no legal training and has been widely criticized in Ukraine for politicizing criminal probes and using his tenure as Prosecutor General to protect corrupt Ukrainian officials. He has publicly feuded with Mr. Sytnyk, who heads Ukraine’s only competent anticorruption body, and with Mr. Leshchenko, a former investigative journalist who has repeatedly criticized Mr. Lutsenko’s record. In December 2018, a Ukrainian court upheld a complaint by a Member of Parliament, Mr. Boryslav Rozenblat, who alleged that Mr. Sytnyk and Mr. Leshchenko had “interfered” in the 2016 U.S. election by publicizing a document detailing corrupt payments made by former Ukrainian President Viktor Yanukovich before his ouster in 2014. Mr. Rozenblat had originally filed the motion in late 2017 after attempting to flee Ukraine amid an investigation into his taking of a large bribe. On 16 July 2019, Mr. Leshchenko publicly stated that a Ukrainian court had overturned the lower court’s decision.

⁶ Mr. Lutsenko later told Ukrainian news outlet *The Babel* on 17 April that Ambassador Yovanovitch had never provided such a list, and that he was, in fact, the one who requested such a list.

⁷ Mr. Lutsenko later told *Bloomberg* on 16 May that former Vice President Biden and his son were not subject to any current Ukrainian investigations, and that he had no evidence against them. Other senior Ukrainian officials also contested his original allegations; one former senior Ukrainian prosecutor told *Bloomberg* on 7 May that Mr. Shokin in fact was not investigating Burisma at the time of his removal in 2016.

⁸ See, for example, Mr. Lutsenko’s comments to *The Hill* on 1 and 7 April and his interview with *The Babel* on 17 April, in which he stated that he had spoken with Mr. Giuliani about arranging contact with Attorney General Barr.

⁹ In May, Attorney General Barr announced that he was initiating a probe into the “origins” of the Russia investigation. According to the above-referenced OCCRP report (22 July), two associates of Mr. Giuliani claimed to be working with Ukrainian officials to uncover information that would become part of this inquiry. In an interview with *Fox News* on 8 August, Mr. Giuliani claimed that Mr. John Durham, whom Attorney General Barr designated to lead this probe, was “spending a lot of time in Europe” because he was “investigating Ukraine.” I do not know the extent to which, if at all, Mr. Giuliani is directly coordinating his efforts on Ukraine with Attorney General Barr or Mr. Durham.

UNCLASSIFIED

- It was also publicly reported that Mr. Giuliani had met on at least two occasions with Mr. Lutsenko: once in New York in late January and again in Warsaw in mid-February. In addition, it was publicly reported that Mr. Giuliani had spoken in late 2018 to former Prosecutor General Shokin, in a Skype call arranged by two associates of Mr. Giuliani.¹⁰
- On 25 April in an interview with *Fox News*, the President called Mr. Lutsenko's claims "big" and "incredible" and stated that the Attorney General "would want to see this."

On or about 29 April, I learned from U.S. officials with direct knowledge of the situation that Ambassador Yovanovitch had been suddenly recalled to Washington by senior State Department officials for "consultations" and would most likely be removed from her position.

- Around the same time, I also learned from a U.S. official that "associates" of Mr. Giuliani were trying to make contact with the incoming Zelenskyy team.¹¹
- On 6 May, the State Department announced that Ambassador Yovanovitch would be ending her assignment in Kyiv "as planned."
- However, several U.S. officials told me that, in fact, her tour was curtailed because of pressure stemming from Mr. Lutsenko's allegations. Mr. Giuliani subsequently stated in an interview with a Ukrainian journalist published on 14 May that Ambassador Yovanovitch was "removed...because she was part of the efforts against the President."

On 9 May, *The New York Times* reported that Mr. Giuliani planned to travel to Ukraine to press the Ukrainian government to pursue investigations that would help the President in his 2020 reelection bid.

- In his multitude of public statements leading up to and in the wake of the publication of this article, Mr. Giuliani confirmed that he was focused on encouraging Ukrainian authorities to pursue investigations into alleged Ukrainian interference in the 2016 U.S. election and alleged wrongdoing by the Biden family.¹²
- On the afternoon of 10 May, the President stated in an interview with *Politico* that he planned to speak with Mr. Giuliani about the trip.
- A few hours later, Mr. Giuliani publicly canceled his trip, claiming that Mr. Zelenskyy was "surrounded by enemies of the [U.S.] President...and of the United States."

On 11 May, Mr. Lutsenko met for two hours with President-elect Zelenskyy, according to a public account given several days later by Mr. Lutsenko. Mr. Lutsenko publicly stated that he had told Mr. Zelenskyy that he wished to remain as Prosecutor General.

¹⁰ See, for example, the above-referenced articles in *Bloomberg* (16 May) and *OCCRP* (22 July).

¹¹ I do not know whether these associates of Mr. Giuliani were the same individuals named in the 22 July report by *OCCRP*, referenced above.

¹² See, for example, Mr. Giuliani's appearance on *Fox News* on 6 April and his tweets on 23 April and 10 May. In his interview with *The New York Times*, Mr. Giuliani stated that the President "basically knows what I'm doing, sure, as his lawyer." Mr. Giuliani also stated: "We're not meddling in an election, we're meddling in an investigation, which we have a right to do... There's nothing illegal about it.. Somebody could say it's improper. And this isn't foreign policy - I'm asking them to do an investigation that they're doing already and that other people are telling them to stop. And I'm going to give them reasons why they shouldn't stop it because that information will be very, very helpful to my client, and may turn out to be helpful to my government."

UNCLASSIFIED

Starting in mid-May, I heard from multiple U.S. officials that they were deeply concerned by what they viewed as Mr. Giuliani's circumvention of national security decisionmaking processes to engage with Ukrainian officials and relay messages back and forth between Kyiv and the President. These officials also told me:

- that State Department officials, including Ambassadors Volker and Sondland, had spoken with Mr. Giuliani in an attempt to "contain the damage" to U.S. national security; and
- that Ambassadors Volker and Sondland during this time period met with members of the new Ukrainian administration and, in addition to discussing policy matters, sought to help Ukrainian leaders understand and respond to the differing messages they were receiving from official U.S. channels on the one hand, and from Mr. Giuliani on the other.

During this same timeframe, multiple U.S. officials told me that the Ukrainian leadership was led to believe that a meeting or phone call between the President and President Zelenskyy would depend on whether Zelenskyy showed willingness to "play ball" on the issues that had been publicly aired by Mr. Lutsenko and Mr. Giuliani. (Note: This was the general understanding of the state of affairs as conveyed to me by U.S. officials from late May into early July. I do not know who delivered this message to the Ukrainian leadership, or when.) See Enclosure for additional information.

Shortly after President Zelenskyy's inauguration, it was publicly reported that Mr. Giuliani met with two other Ukrainian officials: Ukraine's Special Anticorruption Prosecutor, Mr. Nazar Kholodnytskyy, and a former Ukrainian diplomat named Andriy Telizhenko. Both Mr. Kholodnytskyy and Mr. Telizhenko are allies of Mr. Lutsenko and made similar allegations in the above-mentioned series of articles in *The Hill*.

On 13 June, the President told *ABC's* George Stephanopoulos that he would accept damaging information on his political rivals from a foreign government.

On 21 June, Mr. Giuliani tweeted: "New Pres of Ukraine still silent on investigation of Ukrainian interference in 2016 and alleged Biden bribery of Poroshenko. Time for leadership and investigate both if you want to purge how Ukraine was abused by Hillary and Clinton people."

In mid-July, I learned of a sudden change of policy with respect to U.S. assistance for Ukraine. See Enclosure for additional information.

ENCLOSURE: Classified appendix

August 12, 2019

(U) CLASSIFIED APPENDIX

(U) Supplementary classified information is provided as follows:

(U) Additional information related to Section II

(TS) [REDACTED] According to multiple White House officials I spoke with, the transcript of the President's call with President Zelenskyy was placed into a computer system managed directly by the National Security Council (NSC) Directorate for Intelligence Programs. This is a standalone computer system reserved for codeword-level intelligence information, such as covert action. According to information I received from White House officials, some officials voiced concerns internally that this would be an abuse of the system and was not consistent with the responsibilities of the Directorate for Intelligence Programs. According to White House officials I spoke with, this was "not the first time" under this Administration that a Presidential transcript was placed into this codeword-level system solely for the purpose of protecting politically sensitive—rather than national security sensitive—information.

(U) Additional information related to Section IV

Information Relating To Classified Intelligence Community Reporting & Analysis
[REDACTED]

(S) [REDACTED] I would like to expand upon two issues mentioned in Section IV that might have a connection with the overall effort to pressure the Ukrainian leadership. As I do not know definitively whether the below-mentioned decisions are connected to the broader efforts I describe, I have chosen to include them in the classified annex. If they indeed represent genuine policy deliberations and decisions formulated to advance U.S. foreign policy and national security, one might be able to make a reasonable case that the facts are classified.

- (S) [REDACTED] I learned from U.S. officials that, on or around 14 May, the President instructed Vice President Pence to cancel his planned travel to Ukraine to attend President

Information Relating To Classified Intelligence Community Reporting & Analysis
[REDACTED]

Zelenskyy's inauguration on 20 May; Secretary of Energy Rick Perry led the delegation instead. According to these officials, it was also "made clear" to them that the President did not want to meet with Mr. Zelenskyy until he saw how Zelenskyy "chose to act" in office. I do not know how this guidance was communicated, or by whom. I also do not know whether this action was connected with the broader understanding, described in the unclassified letter, that a meeting or phone call between the President and President Zelenskyy would depend on whether Zelenskyy showed willingness to "play ball" on the issues that had been publicly aired by Mr. Lutsenko and Mr. Giuliani.

- (S) [REDACTED] On 18 July, an Office of Management and Budget (OMB) official informed Departments and Agencies that the President "earlier that month" had issued instructions to suspend all U.S. security assistance to Ukraine. Neither OMB nor the NSC staff knew why this instruction had been issued. During interagency meetings on 23 July and 26 July, OMB officials again stated explicitly that the instruction to suspend this assistance had come directly from the President, but they still were unaware of a policy rationale. As of early August, I heard from U.S. officials that some Ukrainian officials were aware that U.S. aid might be in jeopardy, but I do not know how or when they learned of it.