PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

joint with the

COMMITTEE ON OVERSIGHT AND REFORM

and the

COMMITTEE ON FOREIGN AFFAIRS,

U.S. HOUSE OF REPRESENTATIVES,

WASHINGTON, D.C.

DEPOSITION OF: CHRISTOPHER ANDERSON

Wednesday, October 30, 2019

Washington, D.C.

The deposition in the above matter was held in Room HVC-304, Capitol Visitor Center, commencing at 2:37 p.m.

Present: Representatives Schiff, Himes, Sewell, Quigley, Swalwell, Welch, Demings, Nunes, and Stefanik.

Also Present: Representatives Cicilline, Espaillat, Perry, Jordan, and Meadows.

Appearances:

For the PERMANENT SELECT COMMITTEE ON INTELLIGENCE:

[redacted]

For the COMMITTEE ON OVERSIGHT AND REFORM:

[redacted]

For the COMMITTEE ON FOREIGN AFFAIRS:

[redacted]

For CHRISTOPHER ANDERSON:

MARK J. MACDOUGALL

ABBEY MCNAUGHTON

AKIN GUMP STRAUSS HAUER & FELD, LLP

Robert S. Strauss Tower

2001 K Street, NW

Washington, D.C. 20006-1037

THE CHAIRMAN: Good morning, Mr. Anderson. And welcome to the House Permanent Select Committee on Intelligence, which, along with the Foreign Affairs and Oversight Committees, is conducting this investigation as part of the official impeachment inquiry of the House of Representatives.

Today's deposition is being conducted as part of the impeachment inquiry. In light of attempts by Department of State and the administration to direct you not to cooperate with the inquiry, the committee had no choice but to compel your appearance today. We thank you for complying with the duly authorized congressional subpoena, as other current and former officials from across the Federal Government have done.

Mr. Anderson is a career Foreign Service officer. He served at Embassy Kyiv from 2014 to 2017 and as the Special Advisor for Ukraine Negotiations from August 2017 to July 2019.

Mr. Anderson, we thank you for your service. We look forward to your testimony today, including your knowledge of and involvement in key policy discussions, meetings, and decisions on Ukraine that relate directly to areas under investigation by the committees.

This includes developments related to the recall of Ambassador Yovanovitch; the President's July 25, 2019, call with Ukrainian President Zelensky; as well as the documentary record that has come to light about efforts before to get the Ukrainians to announce publicly investigations into the two areas President Trump asked President Zelensky to pursue: the Bidens and Burisma; and the conspiracy theory

about Ukraine's purported interference in the 2016 elections.

We will also have questions about the Department's response to the impeachment inquiry, including the committee's subpoena, which the Department continues to defy despite the fact that we know it has already collected significant documentary evidence that goes to the heart of our inquiry.

Finally, to restate what I and others have emphasized in other interviews, Congress will not tolerate any reprisal, threat of reprisal, or attempt to retaliate against any U.S. Government official for testifying before Congress, including you or any of your colleagues.

It is disturbing that the State Department in coordination with the White House have sought to prohibit Department employees from cooperating with the inquiry and with Congress and have tried to limit what you can say. This is unacceptable, and, thankfully, consummate public servants like you have demonstrated remarkable courage in coming forward to testify and tell the truth.

Before I turn to committee counsel to begin the interview, I invite Ranking Member Nunes to make any opening remarks.

MR. NUNES: I thank the gentleman.

Mr. Anderson, you haven't been here for previous interviews, but we've had a challenge with the majority interrupting the questioners on the Republican side. We expect and hope that you will not be coached by the majority and will answer all the questions that you are asked.

Hopefully -- the majority, I heard, the last round was fairly

decent; there were not a lot of interruptions. So hopefully that behavior continues.

But, with that, Mr. Anderson, welcome, and we thank you for appearing today.

I yield back.

THE CHAIRMAN: I now yield 1 hour to Mr. Goldman.

MR. GOLDMAN: I have to do the --

THE CHAIRMAN: Oh, I'm sorry. Before we yield the 1 hour, I will yield to Mr. Goldman for some preliminary logistics.

MR. GOLDMAN: This is a deposition of Christopher Anderson conducted by the House Permanent Select Committee on Intelligence pursuant to the impeachment inquiry announced by the Speaker of the House on September 24th, 2019.

Mr. Anderson, if you could please state your full name and spell your last name for the record.

MR. ANDERSON: Christopher Jonathan Anderson, A-n-d-e-r-s-o-n.

MR. GOLDMAN: Along with other proceedings in furtherance of the inquiry to date, this deposition is part of a joint investigation led by the Intelligence Committee in coordination with the Committees on Foreign Affairs and Oversight and Reform.

In the room today are majority staff and minority staff from all three committees, and this will be a staff-led deposition. Members of course may ask questions during their allotted time, as has been the case in every deposition since the inception of this investigation.

My name is Daniel Goldman. I'm the director of investigations

for the Intelligence Committee's majority staff. And I want to thank you again for coming in today for this deposition.

Let me do some brief introductions. To my right is Nicolas Mitchell, senior investigative counsel for the Intelligence Committee's majority staff, who will be conducting most of the interview today.

And now I'll let my counterparts in the minority introduce themselves.

MR. CASTOR: Steve Castor with the Republican staff of the Oversight Committee.

[redacted]

MR. GOLDMAN: This deposition will be conducted entirely at the unclassified level. However, the deposition is being conducted in HPSCI secure spaces and in the presence of staff with appropriate security clearances. We understand that your attorneys also have their security clearance.

It is the committee's expectation that neither questions asked of you nor answers provided by you will require discussion of any information that is currently or at any point could be properly classified under Executive Order 13526.

You are reminded that EO 13526 states that, quote, "in no case shall information be classified, continue to be maintained as

classified, or fail to be declassified," unquote, for the purpose of concealing any violations of law or preventing embarrassment of any person or entity.

If any of our questions can only be answered with classified information, please inform us of that, and we will adjust accordingly.

Today's deposition is not being taken in executive session, but because of the sensitive and confidential nature of some of the topics and materials that will be discussed, access to the transcript of the deposition will be limited to the three committees in attendance.

Under the House deposition rules, no Member of Congress nor any staff member can discuss the substance of the testimony you provide today. You and your attorney will have an opportunity to review the transcript after today's deposition.

Before we begin, I'd like to go over some ground rules for the deposition. We will be following the House regulations for depositions, which we have previously provided to your counsel.

The deposition will proceed as follows. The majority will be given 1 hour to ask questions; then the minority will be given 1 hour. Thereafter, we will alternate back and forth between majority and minority in 45-minute rounds until questioning is complete.

We will take periodic breaks, but if you need a break at any time, please let us know.

Under the deposition rules, counsel for other persons or government agencies may not attend.

You are permitted to have an attorney present during this

deposition, and I see that you have brought two. At this time, if counsel could please state their appearance for the record.

MR. MACDOUGALL: Mark MacDougall, Akin Gump Strauss, Washington, D.C., for Mr. Anderson.

MS. MCNAUGHTON: Abbey McNaughton, Akin Gump, Washington, D.C.

MR. GOLDMAN: There is a stenographer taking down everything that is said here today in order to make a written record of the deposition. For the record to be clear, we'd ask that you please wait until each question is completed before you begin your answer, and we will wait until you finish your response before asking you the next question.

The stenographer cannot record nonverbal answers such as shaking your head, so it is important that you answer each question with an audible, verbal answer.

We ask that you give complete replies to questions based on your best recollection. If a question is unclear or you are uncertain in your response, please let us know. And if you do not know the answer to a question or cannot remember, simply say so.

You may only refuse to answer a question to preserve a privilege recognized by the committee. If you refuse to answer a question on the basis of privilege, staff may either proceed with the deposition or seek a ruling from the chairman on the objection. If the chair overrules any such objection, you are required to answer the question.

Finally, you are reminded that it is unlawful to deliberately provide false information to Members of Congress or staff. It is imperative that you not only answer our questions truthfully but that

you give full and complete answers to all questions asked of you. Omissions may also be considered as false statements.

As this deposition is under oath, Mr. Anderson, would you please stand and raise your right hand to be sworn?

Do you swear that your testimony here today will be the whole truth and nothing but the truth?

MR. ANDERSON: I do.

MR. GOLDMAN: Let the record reflect that the witness has been sworn.

And you may be seated.

Now, Mr. Anderson, if you have an opening statement or your attorney has any introductory matters to discuss, now is the time.

MR. MACDOUGALL: Mr. Chairman, before Mr. Anderson begins his testimony, I'd like to make a brief statement for the record.

Christopher Anderson is a career Foreign Service officer who served as Special Advisor for Ukraine Negotiations until July 12th, 2019.

On October 28th, 2019, Mr. Anderson received a letter, through his lawyers, from Under Secretary of State Brian Bulatao in which we were instructed that Mr. Anderson cannot participate in the impeachment inquiry being conducted by the House of Representatives and these committees.

Under Secretary Bulatao's letter stated that these instructions were issued pursuant to a directive from the Office of White House Counsel. Nonetheless, Mr. Anderson has been served with a valid

subpoena, and so he is obliged to be here today.

While Mr. Anderson is prepared to respond to all of the committee's questions to the best of his ability, I need to address one consideration at the outset.

A great deal of attention has been directed to the information submitted to the Office of the Inspector General of the Intelligence Community by an unnamed government employee pursuant to the Intelligence Community Whistleblower Protection Act. Mr. Anderson is not the whistleblower.

As the committee is well aware, the governing statute and associated regulations permit whistleblowers to preserve their anonymity. We believe that Mr. Anderson is obligated to respect in his testimony today the legal standards and equities that protect whistleblower anonymity in the Intelligence Community. So, to the extent we reasonably conclude that any questions directed to Mr. Anderson this afternoon are intended to assist anyone in establishing the identity of the whistleblower, we will make the necessary objections and will give the witness appropriate instructions.

With that, Mr. Anderson has a brief opening statement. Thank you, Mr. Chairman.

MR. ANDERSON: Thank you.

Mr. Chairman and Ranking Member, thank you for the opportunity to provide this statement today.

I have served as a Foreign Service officer in the State Department since 2005. I have spent most of my career serving in countries on

the periphery of the Russian Federation, including Mongolia, Armenia, and, most recently, Ukraine.

Over the last 5 years, I have worked in Kyiv and Washington to advance our national security interests by promoting a peaceful resolution to the conflict in eastern Ukraine, countering Russian aggression, and defending the principle that international borders should not be changed by force.

It has been a privilege to serve our country and promote our national interests on such an important foreign policy issue while working alongside dedicated and talented public servants. These efforts have benefited from strong bipartisan support.

My work in Ukraine began with a 3-week temporary duty to Kyiv in March of 2014, just after Russia invaded and occupied Crimea. I returned to Kyiv in September 2014 to serve as the External Unit Chief in the Political Section of our Embassy. I served in Kyiv from 2014 to 2017 and worked closely with Ambassador Yovanovitch from 2015 to 2017.

In August of 2017, Ambassador Volker asked me to serve as Special Advisor for Ukraine Negotiations. I served in this position from late August 2017 until July 12th, 2019. In this role, I helped develop negotiating solutions, analyzed Russian and Ukrainian ceasefire proposals, and provided context on the history of the conflict and past negotiations. I also traveled with Ambassador Volker to the front lines of the conflict to negotiate with the Russians and to meet with European counterparts.

On November 25th, 2018, Russia escalated the conflict further when its forces openly attacked and seized Ukrainian military vessels heading to a Ukrainian port in the Sea of Azov. While my colleagues at the State Department quickly prepared a statement condemning Russia for its escalation, senior officials in the White House blocked it from being issued. Ambassador Volker drafted a tweet condemning Russia's actions, which I posted to his account.

In December 2018, Ambassador Volker and I traveled to Brussels to meet with EU officials and key NATO allies to push for a more assertive European response to Russia's escalation. During this visit, we met with Ambassador Sondland, who hosted a lunch bringing together key EU officials for a discussion on coordinating our response to Russia's escalation.

When Volodymyr Zelensky was elected President in April, Ambassador Volker and I were hopeful that a newly empowered Ukrainian President could reinitiate high-level U.S. engagement.

Before the inauguration in May, my colleagues and I saw a tweet by Rudolph Giuliani alleging that President-elect Zelensky was surrounded by enemies of President Trump.

In an effort to counter the negative narrative sparked by Ambassador Yovanovitch's withdrawal and Giuliani's statements, we pushed for a high-level delegation to attend Zelensky's inauguration. Secretary Perry, Ambassador Sondland, Ambassador Volker, NSC Director Alexander Vindman, and Senator Ron Johnson traveled to Kyiv as part of a Presidential delegation for the inauguration.

After the delegation returned, the participants wanted to brief the President on the trip. Ambassador Sondland was able to quickly arrange a meeting with the President for May 23rd. I participated in the preparatory meeting at the White House, in which we discussed key deliverables that would demonstrate President Zelensky's commitment to reform.

We focused on three key areas: demonstrating Zelensky's independence from powerful vested interests and pursuing anticorruption as well as antitrust reform; strengthening U.S.-Ukrainian energy cooperation; and improving our bilateral security relationship, which included Ukraine purchasing key U.S. military equipment.

Ambassador Volker told me after the meeting that the President had agreed to invite President Zelensky to the White House for a meeting and would issue a letter shortly. The President signed a letter on May 29th that included an invitation for President Zelensky, but the letter did not include a specific date for the visit.

On June 13th, I accompanied Ambassador Volker to a meeting with National Security Advisor John Bolton. In that meeting, Ambassador Bolton stated that he agreed with our three lines of effort and that he also supported increased senior White House engagement. However, he cautioned that Mr. Giuliani was a key voice with the President on Ukraine, which could be an obstacle to increased White House engagement.

He did suggest that perhaps the Vice President would be available

to travel to Toronto to meet with President Zelensky in early July at the Ukraine Reform Conference that the Canadian Government was hosting. We later learned that the Vice President would not attend the conference.

The morning after the meeting, I sent a brief message to Deputy Assistant Secretary George Kent summarizing the meeting and relaying NSA Bolton's message about Mr. Giuliani. I sent around a more formal summary later that day to my State Department colleagues.

On June 18th, Secretary Perry hosted a followup meeting at the Department of Energy to discuss how to move forward on these three key areas. In preparation for that meeting, colleagues from different offices in the State Department, the Department of Energy, and our missions in Kyiv and Brussels worked to develop a joint list of policy outcomes that would demonstrate President Zelensky's commitment to reform and improve the bilateral U.S.-Ukraine relationship.

In the meeting at the Department of Energy on June 18th, there was broad agreement on the interagency framework regarding policy deliverables. There were some initial discussions about how to delineate the lines of effort among the Department of Energy, the State Department, Ambassador Volker, Ambassador Sondland, and Ambassador Taylor, who joined by phone from Kyiv.

There was also general agreement that it would be important to schedule a White House visit quickly, even if the actual date of the visit was after the Ukrainian parliamentary elections.

There were some vague discussions in the meeting about how to

address Mr. Giuliani's continued calls for a corruption investigation.

After the meeting, I spoke with Ambassador Taylor in a phone call to discuss the atmospherics of the meeting and next steps. We agreed on the importance of not calling for any specifics investigations but otherwise agreed the three lines of effort were useful.

Ambassador Volker then led a delegation to the Ukraine Reform Conference in Toronto July 1st and 2nd. We met with several Ukrainian officials, including President Zelensky. In the meeting, President Zelensky highlighted progress in some of the key areas we had identified and pushed for a date for a White House visit. Volker urged him to schedule a call with President Trump in order to start building a relationship and thereby increase the chance of securing a date for the White House visit.

I was scheduled to complete my assignment as Special Advisor for Ukraine Negotiations on July 12th, 2019. In the few remaining days of my assignment, I continued to push my Ukrainian counterparts for concrete progress in key reform areas, and the Ukrainians remained focused on scheduling a White House visit, seeing such a visit as a critical step in empowering Zelensky in his negotiations with the Russians.

My last day with Ambassador Volker was July 12th. Catherine Croft was my successor.

In closing, I want to reiterate that my colleagues and I in the Foreign Service are nonpartisan and advance the foreign policy set by our duly elected leaders. I take that commitment as well as my oath

to defend the Constitution seriously.

Working abroad to advance the interests of the United States has at times led to harassment and intimidation by hostile intelligence services, death threats, and other significant challenges for my family and me, but I have accepted these burdens because I believe we are advancing a cause greater than ourselves and are working to promote the general welfare.

Thank you for your opportunity to provide this statement, and I welcome your questions.

THE CHAIRMAN: Thank you.

I'll now recognize Mr. Mitchell for 1 hour.

BY MR. MITCHELL:

Q Good afternoon, Mr. Anderson. I want to thank you first for your long service to this country. And we certainly appreciate you coming here and testifying under these circumstances today.

Before we get into the meat of the topics that we want to cover, could you briefly sketch out your career in the Foreign Service from roughly 2005 to 2014? And, particularly, if you could highlight any responsibilities that you had or interactions you had with Ukraine-related matters during that time period.

A Okay.

So my first assignment in the Foreign Service was in Buenos Aires, Argentina, doing consular work. I then went to Mongolia -- Ulaanbaatar, Mongolia, for 2 years after that. And then I went to Armenia -- Yerevan, Armenia, where I worked on trying to

resolve the conflict there in Nagorno-Karabakh for 3 years.

And then, from there, I went to Kyiv in March of 2014, and that was my first involvement with Ukraine specific. And then, from there -- I was there for 3 years, and then I came back to D.C. for 2 years.

Q Okay. I want to talk to you a little bit first about your time in Kyiv from 2014 through 2017. Can you just generally describe both your position as well as your roles and responsibilities?

A So I was the head of the External Unit, which is a unit within the Political Section, and that was responsible for addressing all the typical foreign policy issues, primarily Ukraine's relationship with Russia, with the EU, with neighbors, and with international organizations like the OSCE.

The primary responsibility was in covering the conflict itself. We did not have great sources in the Russian-controlled, Russian-occupied areas, and so I was responsible for developing a network of contacts and going out to the field and also using satellite imagery and other resources to assess the conflict.

And I would send back daily updates and in-depth reports, as well, to key Washington policymakers about what was happening in the conflict. And then I would support the Assistant Secretary's efforts to negotiate with the Kremlin from Kyiv as well.

Q Okay. And so how much time, approximately, would you spend within the Embassy versus outside the Embassy doing these reconnaissance efforts?

A Well, I would just -- "reconnaissance" makes it sound more like I was doing military work, but I take the point. I would spend about 3 or 4 hours a day in the Embassy, with most of the time doing meetings. Because that's why I was sent to the Kyiv, to be out meeting people. So --

Q Okay. And when you say you were out there meeting people, were you -- that includes Ukrainian officials, presumably?

A Yes. It included Ukrainian officials, included representatives from the OSCE, war correspondents, anyone who would have -- NGOs -- anyone who would have information about what was going on in the negotiations.

There was an OSCE office that was responsible for, like -- it was called the Trilateral Contact Group, responsible for negotiating with the Ukrainians and the Russians, and I would meet with them. I would meet with the Ukrainian negotiators and also with the OSCE office to figure out what was going on on a daily basis with the negotiations.

Q Okay. Was one of the topics that you touched upon U.S. security assistance?

A Only in a very general way. There was a separate unit that handled security assistance, and that was the pol-mil unit. And so they would -- and the Office of Defense Cooperation. So I was doing more reporting and analysis about ceasefires and the ongoing conflict, while another office would then figure out how to respond.

Q Okay. So when you said "in a very general way," can you just describe what that general way was?

A In talking -- when there was discussion, sort of, discussion about whether we should provide Javelins or big questions, then the Ambassador would ask me, what do you think? And I would have a weekly briefing with the Ambassador, what we called the Minsk update, each week, and they would be touching on any broad range of issues. But the day-to-day management of that issue fell to what we called ODC, Office of Defense Cooperation, and the pol-mil unit.

Q Okay. And when you were in Kyiv, during your tenure there were at least two different Ambassadors. Is that correct?

A Yes.

Q Who was the first?

A Ambassador Pyatt, Ambassador Jeff Pyatt.

Q And the second?

A Ambassador Marie Yovanovitch.

Q And did you discuss the issue of the Javelins with Ambassador Pyatt?

A Yes. But Ambassador Yovanovitch -- I had a more in-depth relationship, more in-depth discussions with Ambassador Yovanovitch. Pyatt had a very clear opinion from the start, so --

Q Okay. When did Ambassador Yovanovitch first arrive in Kyiv?

A I believe it was August of 2015, but I might be off by a month or so. It was 2015.

Q Okay. And you indicated that you had, I think you said, in-depth conversations with Ambassador Yovanovitch about Javelins. Is that right?

A Yes.

Q Just as a general matter, can you describe the nature of those discussions?

A It was whether or not this would be a good policy, whether it would be -- there was some debate whether providing this lethal assistance would be escalatory and would lead to greater fighting, or there was another point of view, which was shared by many in the Embassy, that it would be a strong signal to the Russians and it would actually help Ukraine defend itself and that worrying about Russian escalation was a moot point since they were escalating on their own anyway.

But we talked about, you know, what did she think the German reaction would be or what did I think the German reaction would be, what did I think the Ukrainian reaction would be. So those were some of the things we discussed.

Q Okay. And, ultimately, over the course of these discussions that you had with the Ambassador, did you get a general sense as to what her position was?

A I think she favored a strong security assistance and, I think, supported Javelins, but I'm -- that is just my recollection from our discussions, but I'm not certain.

Q Okay. Did you also engage with Ambassador Yovanovitch about corruption generally?

A Working in Ukraine, you can't avoid talking about corruption, but not in any substantive way. There were several other people who dealt with corruption more specifically.

Q Okay. But working in the Embassy -- and it sounds like you worked closely with Ambassador Yovanovitch. Is that right?

A Yes.

Q Okay. Did you get a sense as to her position on the corruption or anticorruption efforts in Ukraine?

A Corruption? We often framed it as if there were two wars going on. One was the war in the east against Russia; the other was the war against corruption. And the war against corruption was just as important, because even if Ukraine defeated Russia on the battlefield, Russia would win through corruption.

And so everyone in the Embassy saw corruption as almost an existential threat for Ukraine and pushing back against the corrupt systems as an essential way of ensuring that Ukraine would be a strong and stable ally.

Q What do you mean, Russia would win through corruption?

A Because we believed -- in my view, Russia uses corruption as a way to undermine the Ukraine and to exert control and to maintain political dominance through corruption. And, by doing that, it is able to ensure Ukraine -- it had used corruption to ensure that Ukraine stayed within its orbit and was not an independent, sovereign country.

And so that is partly why the protest in the Maidan happened, because Ukraine wanted to be independent and part of the West, and so there was no way they could achieve that desire and be a good ally of the West and partner with the West if they did not tackle corruption.

Q Okay. So is it fair to say that there was a strong U.S.

policy to help Ukraine tackle corruption?

A Yes.

Q And that was -- one of the reasons for that was that it would counter any sort of Russian aggression or control over Ukraine?

A Yes.

Q And was that a policy position shared by Ambassador Yovanovitch as well?

A By Ambassador Pyatt and Ambassador Yovanovitch.

Q Okay.

Are you familiar with the Prosecutor General Lutsenko?

A I know who he is. I have never met him, and I have not engaged with him on substance or with his office on substance.

Q Okay.

Were you involved in the 2017/early 2018 delivery of Javelins?

A Ambassador Volker was a strong advocate for the provision of Javelins, and he saw that as a key effort in our negotiations, where strengthening the Ukrainian ability to resist Russian aggression would help encourage Russia to negotiate.

If there was a sense that Russia -- U.S. support for Ukraine is vital to the negotiating effort, because if Russia does not believe that the U.S. is going to pressure them about this issue, they will just wait out Ukraine. And they believe Ukraine, left to its own devices, will collapse.

So Javelins was a very -- the provision of Javelins was a very strong signal to Russia that we would continue to increase the cost

to Russia for this escalation, that they would not be able to win by waiting us out, and that the U.S. was committed to seeing a Ukraine independent and able to choose its own partners.

So I was, in many ways, Volker's representative to advance that policy, but there were specific offices that dealt with it more directly. But I would repeatedly weigh in and let people know that Volker was supportive of this position.

Q Okay. And so your involvement in the provision of Javelins changed from the time that you were working at Embassy Kyiv to when you transitioned to the Special Advisor for Ukraine Negotiations under Ambassador Volker. Is that correct?

A Correct.

Q Okay. And that's essentially what you just described.

A Correct.

Q All right. So to what extent were you actually involved in the decision to provide Javelins to the Ukrainians at the end of 2017 and then eventually the delivery of those Javelins during the first half of 2018?

A Very little. There was -- but we did -- in some way, we helped provide some top cover to the people, the offices that were doing that and saying, yes, this was very helpful in the negotiations.

Ambassador Volker, as a representative of the Secretary, was taken very seriously within the Department, especially at a time when there were perhaps not as many confirmed officials as normal. So he had a very strong voice. And so, when he would come in and weigh in

and say, this is very helpful for our policy on Ukraine, people took that seriously and they would move it forward.

But this was a decision that was done both in our Office of Military Assistance in the Political-Military Bureau but then also at the White House.

Q Okay. Were you aware of any hold that was put in place on the provision of Javelins during this time period, the end of 2017 or early 2018?

A I was aware that this was a protracted process, but I did not know specifics about where it was.

Q Okay. Did you have any conversations with anyone about the fact that it was a protracted process or where it was at any given time?

A We would endlessly speculate about what was going on, but our understanding was that was happening at levels well above our pay grade, so --

Q Okay. And did you have a sense of at what level?

A It was at the White House, and so -- the White House was opaque, so I don't know exactly what was going on.

Q All right.

So when you became Special Advisor for Ukraine Negotiations in 2017, was that the first time that you started working with Ambassador Volker?

A I had met him in Kyiv in my last week in the country. He came out with Secretary Tillerson. And I think Ambassador Yovanovitch knew that I would be a good fit to be his advisor and suggested that

I help organize his visit. And so I spent about 3 or 4 days, a few days with him in August of -- or, sorry, July of 2017, helping him meet all the key players in Kyiv.

And so I think he thought I would be a good fit. And so when I arrived back in D.C., he invited me to take his job. And I initially worked with him as a -- from a detail from the Russia desk, which is where I was supposed to go, and then eventually created a separate assignment to be there for a full 2 years.

Q For 2 years?

A Yeah.

Q Okay. And how closely did you work with Ambassador Volker during that 2-year period?

A Very closely. I was -- so the only -- I was the only officer in his office. He had a part-time office management specialist.

But, at the same time, he is incredibly experienced and he knows a lot of the key players, so there were lots of things that he would just do directly. For example, he would be in direct contact with the Assistant Secretary, whether it was Wess Mitchell or Reeker -- Assistant Secretary Reeker. And so he would have his own contacts.

But he also worked in a separate building, because he was part-time. He was working on a volunteer basis and worked part-time. So he would basically come up with the broad strategy and then ask me to implement it.

And then when we were negotiating, he would say, here's

what -- for example, we had a strategy for how to implement a peacekeeping force. And he said, well, here's my overall idea, so I want you to talk to people to develop the details. And then we would bat proposals back and forth and refine ideas.

And so I would say I worked very closely with him but in a somewhat untraditional arrangement, because he was not in the building.

Q Okay. And you say work closely with him. Was it both in person as well as through various different means of electronic communication?

A Yes.

Q Including email?

A Email. We'd also speak on the phone a lot, do some WhatsApp messages. And I would stop by his office; he would stop by the State Department. We'd often try to do -- we'd have meetings, and then at the end of meetings I would sort of stay behind to touch base, make sure we're in the right direction.

Q Okay. To the extent that Ambassador Volker was communicating with these other individuals with whom he's developed a network, I think you described --

A Uh-huh.

Q -- would you be copied on those communications or would you participate in any of the calls if there were conference calls?

A That was very topic-dependent. So, often, he would CC me, partly to make sure that the State Department was aware and so that I could make sure other people were kept in the loop. But on certain

things, for example, his contacts with the Assistant Secretary, he would handle that himself and then brief me about them as he thought necessary.

Q And how would he brief you about them?

A He would tell me about them the next time we saw -- when we were discussing, he'd say, yeah, well, for example, Mitchell is on board with this, I've talked with him. Or, you know, sometimes he would forward messages, but mostly he was just telling me the next time we saw each other.

Q Okay. And by that, you mean orally?

A Orally, yeah.

Q And would you memorialize his oral recitations in any way?

A No, not unless -- if there was -- occasionally if there was something that would be sort of an official record or was necessary for moving something forward, I would put it in email and inform others about it. But often it would be, "Hey, I've made sure that Mitchell's on board with this," or -- part of what we wanted to make sure was that the different offices were coordinated, and so he would just tell me, "Yes, I've coordinated with this." But it wasn't that we had to document every phone call we had, so --

Q Okay.

So I want to skip ahead to November of 2018. In your opening statement, you describe an escalation in the conflict.

A Uh-huh.

Q Can you just briefly explain what happened there?

A Sure.

There were some Ukrainian vessels that were traveling from the Black Sea to their port in the Sea of Azov. And they were transiting through the Kerch Strait, which is, in the U.S. Government's view, a shared strait. The Ukrainians -- because part of it is Crimea, and part of it is the Russian Federation. And so we consider the Crimean portion to be Ukrainian, but it is -- so it has historically been shared. But Russia refused to allow the ships to transit the strait and fired upon and seized the ships and the sailors.

This was the first act of Russian military overtly firing on Ukrainian military vessels, and so this was a dramatic escalation. They had typically done what I would call implausible deniability, where they were there operating in eastern Ukraine but they wouldn't admit it. And this was an overt escalation. And, also, we believed this happened in international waters.

Q Okay. And did you have conversations with Ambassador Volker or other colleagues at the State Department about this incident?

A Yes. I mean, this happened the weekend after Thanksgiving, so a lot of people were working from home, but there was a flurry of activity to try and make sure we got something out that same day. And our European colleagues and others had gotten statements out, and we were trying to make sure we had a statement out as well.

Q Okay. And you mentioned that statement in your opening statement here. And you indicated that your colleagues quickly prepared a statement condemning Russia for its escalation. Were you

involved in preparing that statement?

A I think I looked it over, but I have to say my memory on that is a little bit fuzzy. That was handled by the Ukraine desk, but I was keeping Ambassador Volker in the loop on that.

Q Okay. And was he supportive of such a statement?

A Very.

Q And were you?

A Yes.

Q Did you know of anyone within the State Department who was not supportive of issuing the statement condemning Russia for its escalation?

A Not that I'm aware of, but then I was dealing with the Ukraine desk, so --

Q And then you also indicated in your opening statement that senior officials in the White House blocked this statement from being issued. What do you know about that?

A I was looking through my notes and emails, and I don't remember how I learned this, but I did send a message to Ambassador Volker that evening that the President had put an embargo on any statements.

Q And how did you learn about the embargo?

A Presumably from a conversation with members on the Ukraine team, the Ukraine desk, but I didn't see it in my email, so presumably a phone call.

Q Did you talk to anybody about the reason for this embargo?

A No. Well, I think there was a reference of wanting more information, but I -- that was what I passed along to Ambassador Volker.

Q Did you ever get any more information?

A It was a very complicated situation. It wasn't clear exactly where the ships were in international waters. There was some allegation -- the Russian side was arguing that it was a provocation from the Ukrainians and that Poroshenko had done this on purpose to try and force Western support.

I will say, I think a statement was -- Secretary Pompeo issued a statement the following day. Ambassador Haley did eventually pretty quickly issue a statement as well. But there was never a statement from the White House that I'm aware of.

Q And did you find that to be unusual?

A We received questions from Ukrainian counterparts and journalists as to why there wasn't a stronger statement, but that is not my decision to make.

Q And so what was your response when you received those inquiries from Ukrainian officials and journalists?

A I would assure them that Ambassador Haley spoke for the administration; Secretary Pompeo's statement was a very strong statement as well. We expressed strong concern and defended our actions.

Q Did you have any concerns at this time period, November 2018 or early December of 2018, that perhaps the U.S. policy of strong support for Ukraine was shifting in any way?

A There were some indications, possibly, of Ukraine fatigue.

In January, there was an effort to get a routine freedom-of-navigation operation into the Black Sea. That was of a -- I believe it was a destroyer, but I'm not certain. It may have just been a -- actually, I don't think it was a destroyer. The destroyer was later. There was a freedom-of-navigation operation for the Navy.

So we -- we, the U.S. Government -- notified the Turkish Government that there was this intent. There was a news report on CNN, and then the White House asked the Navy to cancel that. And there were reports that there was an effort to review all assistance to Ukraine. That created a lot of fear that that was a shift in our policy.

Eventually, we met with Ambassador Bolton and discussed this, and he made it clear that the President had called him to complain about that news report. And that may have just been that he was surprised. We don't -- I can't speculate as to why. But that that operation was canceled, but then we were able to get a second one for later in February. And we had an Arleigh-class destroyer arrive in Odesa on the fifth anniversary of the Crimea invasion.

Q Okay. You mentioned this meeting with Ambassador Bolton. Would that have been in the same general time period, roughly?

A This would've been December -- yes, I believe it was December of 2018.

Q Did you attend that meeting with Ambassador Bolton in December 2018?

A I did.

Q And where was it?

A In Ambassador Bolton's office.

Q And who else was there?

A I believe every meeting -- and I think we had four or five meetings with Ambassador Bolton over the time. Every meeting would have been with Dr. Fiona Hill and presumably -- I believe Alex Vindman was in every meeting as well, but I'm not certain.

Q Okay.

A He may have missed one or two.

Q And was the general topic of discussion what happened on November 25th of 2018, or were there other topics as well?

A It was, well, always about our negotiations and how do we respond, how do we push back on Russian aggression. But I believe the full focus of that meeting -- the primary focus of that meeting was how do we respond to this escalation.

And I believe Ambassador Bolton relayed that there was some concern that Poroshenko was using this for his political advantage, that there was skepticism about Poroshenko's motives. But we also wanted to make sure the Europeans took the lead on responding to this escalation, because this was a European -- this happened in Europe.

And so we went to Brussels later that month and pushed hard with our NATO allies and European partners to make sure there was a strong European response.

Q And is this the Brussels meeting that you referred to in your opening statement --

A Yes.

Q -- in which Ambassador Sondland also participated?

A Correct.

Q Okay. So these four to five meetings with Ambassador Bolton were before you traveled to Brussels?

A This was over the time that I was with the -- as Special Advisor.

Q I see.

A I think there was one meeting shortly after he was appointed where we wanted to make sure he was on board with Ambassador Volker's general strategy of using an interim peacekeeping force. There was one at this point. There was another one shortly -- in the period around the elections. And then there was one in June as well.

So those are four that I can remember off the top of my head, but --

Q Okay.

A -- if you'd like, I can try to track down the exact numbers and times.

Q And I think we're going to step through each of those a little later today, hopefully not too much later today.

Now, you indicated that there was a news report, if I understand correctly, that President Trump was upset about or not pleased with. Can you explain that a little more?

A There was a CNN story which said that -- and I don't remember seeing the news report, but that referenced this freedom-of-navigation operation into the Black Sea and made it seem as if this were a direct

response to Russia and that it was a challenge to Russia.

Now, I don't know -- the news report seemed to be, in my understanding, exaggerating the situation, because all the Navy had done was file a standard notification under the Montreux Convention that they were planning to transit into the Black Sea.

Q And how do you know that the President was not pleased with this report?

A Ambassador Bolton relayed that he was called at home by the President, who complained about this news report.

Q Do you have an understanding as to Ambassador Bolton's relationship with President Trump?

A I do not.

Q Do you know whether Ambassador Bolton and President Trump speak frequently?

A I can only assume they would, as --

Q I'm not asking you to assume.

A Okay.

Q All right. And do you recall roughly when the CNN article came out, or story?

A It was a news story. I believe it was early January.

Q Going back to December 2018 in Brussels, can you again describe the purpose of that particular meeting?

A So we did a series of meetings at our mission to NATO with allies and partners to try and develop a strong response. And then we had meetings -- so there was a military component to try to get a

military alliance response, that this was a -- the Black Sea is a vital region for NATO. And then we had other meetings with EU counterparts to say that there was a nonmilitary aspect as well.

And, later on, NATO did adopt a Black Sea policy that I think was very helpful. And the EU has increased assistance to regions affected by Russia's attempts to choke the Kerch Strait and choke off the Sea of Azov. So --

Q Were there any concerns expressed during the series of meetings in Brussels about, again, a shift in U.S. strong support for Ukraine?

A I don't believe in Brussels there were. But some Ukrainian critics had labeled our response anemic, and there were some critics that said that our response emboldened Russia.

So we tried to foster a stronger response, and that's partly why we also called -- we tried to make sure that we could have a strong -- that we could make sure that the destroyer was able to visit Odesa.

And we were able to arrange it so that not only did the destroyer go but that we had a high-profile international visitors day at the same time, where we had senior Ukrainian officials, including President Poroshenko, visit; we had senior officials from the EU; and we had Ambassador Volker lead the delegation; and we had soon-to-be-announced Acting Assistant Secretary Reeker there; and Ambassador Gordon Sondland was there as well.

So it was a pretty robust message to the Russians that we are not

taking this -- we are taking this seriously and not lying down. And, in fact, in separate informal meetings I had with Russian, sort of, back-channel diplomacy, they admitted this was a very sharp message that they heard loud and clear. So --

Q Were you on that trip also?

A To Odesa?

Q Yes.

A Yes.

Q And you said Ambassador Sondland was also at Odesa?

A Uh-huh. Yes, he helped arrange for the EU officials to come to Odesa, and he was very enthusiastic and energetic about getting EU to cooperate with us on that.

And it was actually quite extraordinary because the EU officials were generally reluctant to be seen overshadowed by a U.S. destroyer. So they were very -- it was a strong show of unity in Odesa.

Q What was Ambassador Sondland's role generally with regard to Ukraine?

A Well, the EU is the leading, sort of, force for reform in Ukraine, both on energy issues but also just rule of law. And they provide incredible amounts of assistance.

And our assistance over the last few years has been very effective because we're coordinated. Often, in the past, Ukraine would sort of play donors off each other and we would not be effective. So making sure that the EU, the U.S., IMF, World Bank, and others were all coordinated was a key point to making sure our assistance was effective.

And so the EU -- our mission to the EU had played a very strong role in coordination. And Ambassador Sondland was very excited and enthused about participating. So Ambassador Volker was happy to get someone of his energy engaged.

Q Did you have an understanding that there came a point where Ambassador Sondland was given a special assignment to work on Ukraine-related matters?

A I think I know the news reports you're talking about, and I don't know that. I do not have independent confirmation of that.

What I can say is, when he was made part of the delegation, there was an -- I understood there was an informal tasking of Perry, Volker, and Sondland to sort of lead engagement on Ukraine for the period right after -- the first 60 to 90 days.

But I don't know if that qualifies as the tasking that you're referring to. But I do know that they were taking the lead on policy and there was lots of coordination between the three of them.

Q Okay. And when you say the delegation, you mean the May 20th, 2019, inauguration of President Zelensky?

A Correct.

Q Okay. How did you come to learn that Ambassador Sondland, Secretary Perry, and Ambassador Volker were going to play a role in these Ukraine efforts?

A I believe I heard it from Alex Vindman.

Q When did you hear that?

A It would have been the day the delegation was announced. But

there were discussions about trying to create a delegation. There were some discussion about trying to include, I think, Senators and Congressmen as well. And there were discussions about different -- who could be part of the delegation. I mean, it was very important that we had at least a Cabinet-level official as part of it.

We also had hoped that the Vice President could go, at one point. And they were trying to find windows. And while the inauguration did occur in one of those windows, it also occurred -- I think it was 3 days' notice. So we had to scramble to organize a delegation pretty quickly.

Q And were you involved in that effort to organize a delegation?

A Only to the extent that I would relay Ambassador Volker's wishes to Alex Vindman and others that he wanted a high-level delegation.

Q Okay. Did you attend the inauguration?

A No, I was not able to attend.

Q Did you get a readout of the inauguration?

A Yes. Ambassador Volker gave me -- I think he sent around a quick update, and then we spoke about it when he came back.

Q When you say he sent out a quick update, you mean by email?

A I believe so, but I -- that would be his normal practice. So I don't remember the specific email, but I'm --

Q What did he tell you about the inauguration?

THE CHAIRMAN: Can I, before counsel -- I just want to go back

a little bit in the chronology.

You said in your opening statement, before the inauguration in May, that you and your colleagues saw a tweet by Rudy Giuliani alleging that President-elect Zelensky was surrounded by enemies of President Trump.

Which colleagues are you referring to that saw that tweet?

MR. ANDERSON: Colleagues at the Embassy. So I would've been in touch with people at the Political Section. Also with my colleagues at the European -- the EE Bureau, so Eastern Europe office, which covers Moldova, Belarus, and Ukraine.

THE CHAIRMAN: And was it just the tweet, or did you see other public statements that Mr. Giuliani had made -- I'm trying to think if this was the same time period -- in which Mr. Giuliani spoke about not meddling in an election but meddling in investigations? Did you see those comments as well?

MR. ANDERSON: Yes. And there were several stories in The Hill newspaper, I believe. So we had been tracking those. We did not know to what extent that was, I guess, freelancing, perhaps, or whether that reflected -- he was a private citizen, so we did not know to what extent that was significant. But we were certainly aware of those news reports and tweets.

THE CHAIRMAN: And you were aware that he represented the President.

MR. ANDERSON: Correct.

THE CHAIRMAN: And I think at least in one of those interviews

he said that what he was doing was with the knowledge and the support of the President?

MR. ANDERSON: I don't remember that part, but I also know he was saying that he was representing him in a private capacity.

THE CHAIRMAN: And I think you said in your opening statement one of the reasons you pushed for this high-level delegation to attend the inauguration was a direct result of concerns raised by Mr. Giuliani's tweets and other statements?

MR. ANDERSON: There was -- with the withdrawal of Ambassador Yovanovitch, and there was concern that U.S. support was flagging. And so we wanted to show that the U.S. continued to support Ukraine and that, with a new President, there was a willingness to reenergize our relationship.

THE CHAIRMAN: Mr. Mitchell.

BY MR. MITCHELL:

Q So when did you first learn that Rudy Giuliani was taking an interest in Ukraine?

A I don't recall. I was seeing the news reports of, I guess that was March and April. I saw his name around that. And we saw the tweets that he put out.

We had hoped that it would refer -- he was referring, in many ways -- we understood it to refer to Leschenko, Serhiy Leschenko, who was an MP. And he was not -- he ended up not being part of Zelensky's team. And so we hoped that that and a new Ambassador would -- or Charge -- would address those concerns.

Q Okay. So I think you've mentioned a couple of different things there. So what was your understanding of Rudy Giuliani's interest in Leschenko?

A This was speculation on my part, since I had no contact with Giuliani. But we understood this, based on news reports, that it referred to Leschenko's involvement in publicizing what was called the black ledger, which is related to Paul Manafort's activities.

Q Okay. And when you say "we," who do you mean by "we"?

A The Ukraine desk, myself, and people in Embassy Kyiv.

Q And did you speak with Ambassador Volker about these early efforts, as well, by Giuliani?

A I briefed him that these were occurring, and I provided background on Lutsenko's role in this and what Lutsenko was seemingly trying to do.

Q Okay. What did you believe Lutsenko to be doing?

A I believed that Lutsenko was trying to keep his job by making himself useful to the U.S. Government, or to certain people in the U.S. Government, or in the U.S.

Q And who was that?

A Giuliani and others. It seemed that he was trying to -- Lutsenko was trying to play into U.S. domestic politics and thereby win favors. But anything more I think would be speculation.

Q Okay. And were these your concerns at the time that you learned of Rudy Giuliani's interest in Ukraine? And I think you said it was roughly March or April of 2019?

A Correct.

Q Okay. And you indicated that you were speaking with other individuals at the State Department, including people on the Ukraine desk?

A Correct.

Q And people at Embassy Kyiv as well?

A Uh-huh. Correct.

Q Can you just generally describe how you were communicating or talking to all these folks within the State Department about the Giuliani issue?

A So I would have regular secure telephone calls with my counterpart in Embassy Kyiv who replaced me as the head of the External Unit. And so we would touch base on -- I would brief them on what was happening in Washington, and he would tell me what was going on in Kyiv.

And then I would have regular meetings with George Kent, for example, Brad Freden, John Kuny (ph), others on the Ukraine team, Ben Lazareth (ph), all, sort of, people working on this. And we would try to figure out what was happening in the news, what this meant, and how it would affect our policy.

Q Okay.

And you indicated that Rudy Giuliani was -- one of his interests was this Leschenko narrative. You also mentioned the Charge D'Affaires. And I think what you were referring to there was -- and correct me if I'm wrong -- was the fact that Rudy Giuliani also was involved in a negative narrative about Ambassador Yovanovitch as well.

Is that correct?

A Correct.

Q Was there also a third narrative involving Burisma and Hunter Biden?

A I was aware that that was part of it, but I was not involved in those discussions, so I didn't really focus on that part of it.

Q When you say you weren't involved in those discussions, what are you referring to?

A There was discussions about whether these were factual and whether these were true and how we should respond. And I did not take part in those discussions, and that was more the corruption team looking at that.

Q The corruption team where?

A There were people tasked with corruption in the Ukraine desk and then also in Embassy Kyiv.

Q Okay.

A But presumably George would've been -- George Kent would've been taking the lead on those discussions.

Q Okay. And do you have any reason to believe that these allegations that were investigated by the Ukraine desk, Embassy Kyiv, and DAS Kent had any basis in truth?

A I believe he put out a statement saying there was no basis in truth in August. But I have no independent knowledge of that.

Q Okay.

And why were these issues -- or, Giuliani's involvement in

Ukraine, why was that something that you were paying attention to?

A Because in order to get -- Russia had been stalling in the negotiations more or less since the spring of 2018, and we believed that part of that was a belief by Russia that the U.S. Government was getting Ukraine fatigue or was no longer as interested in resolving this. And we wanted to convince Russia that we were serious, that the U.S. would not accept Russia's continued aggression, and that we believed a strong U.S. high-level engagement with Ukraine would help bring Russia back to the negotiating table so that we could end this war, which has cost over 13,000 lives, displaced millions of people, and I think injured tens of thousands of people.

So we really believed that getting high-level U.S. engagement was critical to restarting negotiations which had been stalled.

[3:37 p.m.]

By MR. MITCHELL:

Q Okay. And what's the relationship between what you just said and your focus or interest in what Rudy Giuliani was up to?

A There was a fear that -- I had a fear, I'll speak about myself, I had the fear that if Giuliani's narrative took hold, that the Ukrainian Government was an enemy of the President, then it would be very hard to have high-level engagement, and that would mean that we would -- that Russia would not -- that it would be harder for us to pressure Russia to come back to the negotiating table.

Q So if I understand correctly, you saw Rudy Giuliani's efforts as potentially undermining the U.S. Government's ability to bring Russia back to the negotiating table to resolve this issue in the Donbas?

A That was my personal opinion, yes.

Q And what was your understanding of Rudy Giuliani's relationship with President Trump?

A I do not know.

Q Well, did you know that at the time Rudy Giuliani was holding himself out as the personal attorney of President Trump?

A It was my -- yes, I believed he was reporting that he was the personal attorney. I do not know if that was true or if there was a formal relationship, but I saw tweets to that effect or news reports to that effect.

Q And you have no reason to doubt that?

A I did not actually focus that much on Giuliani, just that there was concerns about this, and I noticed it, and I said it was more in the frame of I hope this doesn't continue. But I had no engagement with him and did not directly -- yeah, I had no direct engagement with him.

Q Do you know whether Ambassador Volker had direct engagement with Rudy Giuliani?

A I learned after the fact that he had been in touch with him, and Ambassador Volker relayed to me that he believed Mr. Giuliani would continue with this vein. I think he -- but I don't know the exact nature of those communications. But he did relay to me that he had been in touch and that he did not think this issue was going away.

Q When did you have that conversation with Ambassador Volker?

A I don't remember. I think it would have been late spring, but I don't know for sure. I don't remember.

Q Do you recall whether it was prior to President Zelensky's inauguration on May 20th?

A I believe it was, because I think it was also before Ambassador Taylor had been -- had been convinced to go out to Kyiv.

Q When Ambassador Volker told you that he believed that Rudy Giuliani would not abandon these efforts, did he communicate that to you in person or over email?

A In person, I believe.

Q What else did Ambassador Volker tell you during that conversation?

A That happened in the context of: And we need to get Zelensky to show that he's different, we need to get Zelensky to show that he is serious about reform, and that we would have to do something -- that we'd have to do something to change the narrative.

But it was not -- it was -- the comment about Giuliani was a small comment in passing. The larger discussion was: We need to do something to develop a relationship.

Q Are you aware of a phone call between Rudy Giuliani and Ambassador Volker on or about May 10th of 2019?

A Only based on news reports. I did not have any knowledge of it at the time.

Q You indicated that Ambassador Volker said you had to change the narrative. Did you have an understanding of what he meant by that?

A And just to be clear, those are words to that effect. That was not a direct quote.

In the sense of we wanted to get -- he -- and I came to believe this as well -- believed that it was important that President Trump have a personal relationship with President Zelensky, and that they meet as quickly as possible, both to show the Russians that the U.S. was committed, but also so that they could develop a personal relationship and that would -- that positive relationship.

And we believed that once they met they would hit it off. They were both political outsiders who had committed to changing the status quo, and we thought they would connect, and so that would help insulate the policy from daily controversies.

Q And was this in the context of a White House visit or a meeting elsewhere?

A Any of the above. The goal was a White House visit, because that has the largest significance. But any -- that also led to -- wanted to get a Vice President meeting, meeting on the margins of the U.N. General Assembly. But, you know, in sort of the scale of meetings, the best would be an Oval Office visit for President Zelensky.

Q And why is that?

A Because it is the best show of support and it has the greatest pomp and circumstance, and so that has the most impact, both in Ukraine but also in Moscow.

Q And did you have any conversations with any Ukrainian officials about a White House visit?

A I did. We met -- I would meet with representatives from the Ukrainian Embassy routinely to talk about trying to -- where they would express their interest in a White House meeting, and I would relay what we were talking about in terms of policy deliverables that we thought would be helpful to increase the chance of that and to show that Zelensky was committed to reform and could be a strong energy and security partner.

Q And what were those policy deliverables?

A There were sort of three veins that we were looking at. One was Kolomoisky. And Ambassador Volker and I were of the opinion that Kolomoisky also involved anti-trust reform, to break up the power of the oligarchs. And for Zelensky that was, in particular, it was

showing that he was independent from an oligarch named Kolomoisky.

There was also -- so that was one tranche we were sort of showing. So a key deliverable on that was PrivatBank, making sure that does not get given back to Kolomoisky, but also trying to fix a law on illicit enrichment.

Then the other -- another vein was security assistance in trying to show that they were a strong security partner. That meant, in particular, purchasing -- encouraging them to purchase Javelins, which the President had authorized as part of his decision to provide Javelins.

And the third was improving energy cooperation, and that included increasing -- trying to create a situation where American companies could more successfully compete.

Q And when did you have these -- or when did these conversations begin with the Ukraine Embassy representatives regarding scheduling a White House meeting?

A I know for sure they were going on in May. They may have started a little bit earlier, but I know for sure they were going on in May.

And then we also met with -- Ambassador Volker met with Zelensky in Kyiv during the inauguration, and I believe it came up there. But then also we talked about it again during the Toronto conference, we had a meeting there, that was an issue there. And it was a very strong request from early on of the Zelensky administration.

Q So you've mentioned a conversation Volker had at the

inauguration. You've mentioned Toronto. Were there other communications that you personally were involved in with Ukrainian officials regarding setting up a White House meeting?

A I was meeting with representatives from the Embassy at least every other week, I believe.

Q During the May time period?

A During May-June time period, yeah.

Q And you were discussing, it sounds like, these three policy deliverables. Is that right?

A Correct.

Q Did the topic of Rudy Giuliani ever come up with any of these conversations with Ukrainian officials?

A I have no direct recall of that. I would be surprised if they didn't ask about it, but I had no direct knowledge of it. So it was more just how do we -- we focused on how do we -- how can we focus on these three areas of deliverables and sort of push forward on that.

Q So you don't specifically recall, but it may have come up?

A Yes.

Q What about the topic of investigations, did that come up in the context of any of these conversations regarding a White House visit?

A With the Ukrainians?

Q Yes.

A Not that I'm aware of. Not that I recall.

Q What about the topic of Burisma?

A No.

Q Hunter Biden?

A No. The only exception, I don't remember, this would be if some sort of comment about a news article that the Ukrainians may have asked about, but it was not a topic of discussion.

Q And what about 2016 election interference in the U.S. elections?

A I don't remember discussing that.

THE CHAIRMAN: I just wanted to follow up on a couple quick questions in terms of the context.

In your opening statement you said that after the delegation returned from the inauguration the participants wanted to brief the President on the trip, and Ambassador Sondland was quickly able to arrange a meeting with the President for May 23rd. It was in the context of preparing that meeting that you discussed these three deliverables. Is that right?

MR. ANDERSON: Correct. We had a meeting outside the White House mess where we talked about what are some areas that we could -- what are some things that we could ask the Ukrainians in which they would show they were committed to reform and to being a strong partner.

THE CHAIRMAN: And in terms of your statement that Ambassador Sondland was quickly able -- was able to quickly arrange a meeting for the President -- with the President -- what date was the inauguration?

MR. ANDERSON: I believe it was May 20th.

THE CHAIRMAN: And Ambassador Sondland was able to get a meeting with the President just 3 days later?

MR. ANDERSON: Yes. We were still debating internally whether it would be the Department of Energy or the Department of State that would be formally requesting the meeting, but Ambassador Sondland was able to schedule the meeting pretty quickly.

THE CHAIRMAN: And does that indicate to you that the speed with which Ambassador Sondland was able to arrange that meeting that Ambassador Sondland was either very well connected with the President or with Mick Mulvaney to get that meeting that quickly?

MR. ANDERSON: We thought he had connections to the White House and was taken more seriously than the State Department bureaucracy.

THE CHAIRMAN: And, in fact, he was very successful, wasn't he, in getting the meeting?

MR. ANDERSON: He did, yes.

THE CHAIRMAN: And so the discussion of these deliverables to demonstrate Zelensky's commitment to reform, you're discussing them in the context of a meeting your colleagues are about to have with the President? Is that right?

MR. ANDERSON: Correct.

THE CHAIRMAN: And what was the connection between discussing those deliverables that you were going to want Zelensky to produce and what you expected the participants in the meeting with President Trump to discuss?

MR. ANDERSON: It was my understanding that they were going to go in and argue that we have 90 -- you know, the first 90 days is critical, and we need -- we should go all in to and make sure we have

a strong partner there. And they are pledged to deliver on these areas. And so if they're serious and deliver on this, we should -- that would be a good test to make sure they are a strong partner.

So it was trying to identify ways that we could judge the seriousness of the Ukrainian Government.

THE CHAIRMAN: So the idea was that in this meeting with the President, the participants in the meeting would say, effectively, Mr. President we think you should have a meeting with President Zelensky if Zelensky is willing to commit to these three things?

MR. ANDERSON: Roughly. I don't know if it would be that explicit. But it would -- the idea would be we can get progress in these three key policy areas that we want to achieve, and we think a White House meeting would help lead to that. But I don't know -- I was not in the meeting, so I don't know exactly how it was phrased.

THE CHAIRMAN: And the discussion of these deliverables would have taken place in the chronology after Ambassador Volker would have talked with Rudy Giuliani earlier in May?

MR. ANDERSON: Again, I don't know that he did have that conversation, but I've seen news reports about it, so it would have happened after that if those news reports are correct.

THE CHAIRMAN: And one of those deliverables, I mean, this is not specifically mentioned in your statement, but I think you mentioned in your testimony, in terms of improving bilateral security, increasing purchases of key U.S. military equipment, part of that was referring to Javelins.

MR. ANDERSON: Correct.

THE CHAIRMAN: And, in fact, President Zelensky would bring up the Javelins in his conversation with the President, right before the President asked for a favor. Am I right?

MR. ANDERSON: Correct.

THE CHAIRMAN: Mr. Mitchell.

BY MR. MITCHELL:

Q These three key policy deliverables that you testified to earlier and also were found in your opening statement, these were policy deliverables that were conceived by you and others prior to meeting with the President, correct?

A Correct. They had been discussed, and I think Ambassador -- I think the delegation had sketched them out during their trip, but they were fleshed out in significantly greater detail.

In the interagency process we had a phone call, I think it was June 5th or so that there was a weekend with Embassy Kyiv, our mission to the EU, and energy folks, where we talked about how we could delineate these. We had an options paper where we discussed in greater detail about how these things could work out. And then we ended up meeting with Ambassador Bolton and he endorsed those lines of effort as well.

Q And do you know whether these three key policy deliverables were, in fact, communicated to President Trump on May 23rd?

A I do not.

Q Did you get a readout of that May 23rd meeting?

A I did. There was an email circulating around with that

summary. But I don't recall exactly -- I don't recall exactly what was in it. I believe the areas were discussed, but I don't know to what extent and to what detail.

Q Okay. To the best of your recollection, what was the readout that you received of the May 23rd meeting?

A Ambassador Volker told me that the President said something to the effect of the Ukrainians tried to take me down. And then the four principals, Ambassador Volker, Sondland, Senator Johnson, and Secretary Perry, convinced him that, no, this is different, there is a real possibility of change here, Ukraine is on the cusp of turning a whole page, and if we engage now we can make a real difference here and they can become a strong security partner.

That is my understanding from Ambassador Volker of what took place. But I am pretty sure there was an email which involved -- which included input from Ambassador Sondland as well summarizing the meeting.

Q Did Ambassador Volker mention to you whether Rudy Giuliani was discussed at the May 23rd meeting?

A I don't recall Ambassador Volker mentioning Giuliani in relation to that meeting.

Q What about investigations?

A I don't recall investigations coming up.

MR. MITCHELL: I think my time is up.

BY MR. CASTOR:

Q When was the first time you heard Ambassador Volker mention

the Rudy Giuliani aspect?

A When The Hill statements came out -- when The Hill news reports came out, and I believe President Trump tweeted something about those articles. Ambassador Volker sent me a question, what is the background to this? And that's when I provided some context about Lutsenko and what he was doing. So that was the first time I remember discussing anything related to this with him.

Q When did you learn that Ambassador Volker was engaging with Mr. Giuliani?

A It was several -- it was several weeks after he had done it. But I don't remember exactly when that was. But if you know when he -- I remember he saying something to the effect of, I was in touch with him, but I don't -- and that was after the fact. So I don't know the exact.

Q Did he tell you anything else about the interactions he had with Mr. Giuliani?

A Just that he didn't think it would go away. Like his concerns were we're not going to be -- I understood what he was saying, that if we -- we shouldn't hope that he'll focus on something else and move on to another issue, he's going to keep raising this issue. And so --

Q Who is he?

A Mr. Giuliani.

Q Okay. Did he ever relay to you that he believed Mr. Giuliani was amplifying a negative narrative about the current outlook with President Zelensky and Ukraine?

A I understood from his comments that he believed this was an obstacle to improving relations and putting pressure on Russia.

Q And do you know if he was engaging with Rudy Giuliani to try to convince him that his views of Ukraine that he was promoting were not accurate?

A That was -- I understood that he had reached out to him to try and sort of provide him some more information, and that's when he got the sense that this issue was not going to go away.

Q Okay. Did he ever give you any readout of whether he thought he would be successful with convincing Mr. Giuliani that he had an incorrect take on Ukraine?

A I understood that by Ambassador Volker admitting this issue, which they would stay, that was an indication admission that he was not successful in changing his opinion.

I will also note that in our discussions with Ambassador Taylor and trying to convince him to take the position, we thought it was important that someone with independent stature be out there. In fact, I had a direct -- I discussed that with Ambassador Taylor, that it was important that there was someone who could be independent of any outside pressure.

Q And what did Ambassador Taylor say to you in return?

A Ambassador Taylor was wondering how he could do a job -- how he could be successful at this job. And we were exchanging messages about this, and we had additional private conversations. But I said, I think -- I believe my response, to the best of my recollection, was

it's not so much -- I can't promise that you'll be successful, but you'll do a lot better job than the alternatives, and I think the country needs you to step up to this, something to that effect.

Q Did Ambassador Taylor relay to you his concerns concerning the Giuliani involvement?

A He was -- yes. He was repeatedly concerned -- repeatedly expressed his concern that Giuliani would make his job difficult, and he requested a meeting with the Secretary to discuss those concerns. And he requested that he be reassured about -- that he would be able to do the job and that our support for Ukraine would not -- our policy for Ukraine would not change. He also made it clear that if that policy changed, he would -- he would resign.

Q Okay. Did you ever hear any discussion of Ambassador Volker encouraging some sort of investigation that would have involved Burisma or the Bidens?

A I did not. There was some vague discussion in -- there was a meeting in the Department of Energy, I believe it was June 18th, where either in the meeting or on the margins there was some discussion of investigations. And I don't remember and I looked back in my readout, my email readout of that, and there was no mention of it.

So it was a very vague discussion. But I remember it was enough that when I spoke to Ambassador Taylor afterwards, we agreed that the three lines of effort that had been identified were the right ones and anticorruption was important.

But we also had to make sure that any call for Kolomoisky was not

called for individual -- for not specific individual cases, as that was not appropriate, and that there was a specific process that existed for doing -- for requesting help on ongoing cases.

Q And what was that process?

A I don't believe we mentioned it, but it is call an MLAT, a mutual legal assistance -- it falls under mutual legal assistance treaty.

Q And that would be if the Ukrainian Government was going to initiate some sort of investigative activity with a U.S. person?

A Or if the Department of Justice wanted help investigating an ongoing matter, they could file a request. We have a legal attache in Kyiv who can help with these issues. So there's a formal channel for that.

Q But if there was, you know, an investigation regarding this company Burisma of Ukrainians and wrongdoing that they participated in, would that be something that Ambassador Volker would be comfortable recommending?

A I don't know what Ambassador Volker would be comfortable recommending.

Q Okay. So he never discussed that with you --

A No.

Q -- that he was trying to advocate for that?

A No.

Q Okay. Are you familiar with the company Burisma?

A Honestly, no. I mean, I've read news reports about it.

Q Okay.

A But I was very focused when I was in Kyiv on the conflict and the fighting, and that was more than enough work for me.

Q So the company never came to your attention when you were -- because you were in Kyiv for --

A Three years.

Q -- for 3 years.

A Correct.

Q And during that time period, the Burisma operation was subject to a number of investigations?

A I remember hearing a vague news -- a vague complaint or unease about the Vice President's son. I did not know his name or what company it was, but I remember hearing someone comment on that. And it may have been George Kent, I don't remember. But there was -- I remember that coming up once, maybe on the margins of the Vice President's visit or maybe somewhere else. But, again, that was not something I focused on.

Q I believe you testified here today that corruption in Ukraine is pretty widespread?

A Correct, but getting better.

Q And so are most of the oligarchs and their control, you know, the entities they control, are they, you know, most points in time subject to charges of corruption?

A Yes. Corruption in Ukraine is a tool that is wielded, and since everyone is corrupt, who you prosecute is a political decision.

And I have believed that corruption is in many ways a tool -- a management tool in Ukraine where that's how you ensure, when there is no institutional structures that work, you use corruption to make sure you can incentivize, you can get what you want.

Q Are there certain sectors in Ukraine which are especially beset by corruption, like the energy industry?

A It is my understanding the energy sector is very corrupt, but I also understand that some of the energy sector is also better run because it has more a formal structure that are listed on in European companies.

So it would be very hard to say which sector is more corrupt. It also depends on whether you mean sort of the grand corruption where the President appoints its person or if it's the petty corruption where you can't get health insurance without informal fee for service, right? So it's very hard to say what's the most corrupt.

Q Okay. So, you know, any allegations that Burisma may have, you know, their oligarch, Zlochevsky, may have misappropriated, you know, energy licenses to his own benefit, that's something you weren't familiar with at the time?

A I was not familiar with that.

Q Okay. The allegation that they went out and put certain officials on their board to prevent or at least give them some cover from investigative work, is that something you only heard of after the fact?

A I know that is common practice in the former Soviet Union

to try to -- that all companies try to get Westerners on their boards and try to make it look more legit. As to more specifically the Ukrainian situation, I cannot comment.

Q Okay. During your time in Kyiv, do you remember if the Vice President, Vice President Biden, because you were there from 2014 to 2017, do you remember if there were any visits from the Vice President?

A There were visits. I helped organize -- I was the site officer for the meeting with President Poroshenko. But I was not in any of the meetings.

Q Do you remember how many times the Vice President visited?

A I believe it was five or six, but that would include before I was there. But that is my -- but that's a rough estimate.

Q Okay. That in total he was in Ukraine five or six times?

A But he was a -- it was also our understanding that he had a -- we saw him as one of the lead policy people on Ukraine, that he was sort of very focused on Ukraine.

Q And what was he interested in with respect to Ukraine, do you remember?

A My understanding was that he led the gamut. And so I was told that several of my reports that I wrote on the conflict, the nature of the fighting, Russia's role, those were, I was told, were well-read in the Office of the Vice President. I also understand he was there in terms of corruption.

Q Uh-huh.

A But, you know, other than people telling me good job, you

know, your report was there, I don't know.

Q Do you remember a visit in December 2015 where the Vice President came to Kyiv and got involved with advocacy related to one of the prosecutor generals at the time, his name is Shokin?

A I remember that. I believe that is when I was working on being the site officer for the -- for his -- I believe it was a lunch and meeting with the President, with President Poroshenko.

Q What do you remember about the preparations for that visit or that particular issue, if you remember anything?

A What I was focused on was the logistics of where the motorcade would go, how long the meetings would go, whether it would be -- so I was very focused on those things. I'm happy to discuss those, but I don't think that you're --

Q So you weren't involved with the preparation for the issue of the prosecutor general?

A No.

Q Do you have any information or firsthand -- firsthand recollections about the issue with the prosecutor?

A I have no firsthand recollection.

Q Do you know if anybody at the Embassy at the time did or was that something being handled out of Washington?

A I believe the Ambassador -- I believe that was -- that would have been -- was that Pyatt? Or 2015, no, it would have been Ambassador Yovanovitch, I believe. So she would have been involved. But, again, that is only based on the structure.

Q Speaking of Ambassador Pyatt, earlier you mentioned his opinion on Javelins, but I don't think you told us what his opinion was?

A He was very supportive of increasing our defensive assistance.

Q Okay. So he was aligned with some of the other policymakers you discussed?

A Uh-huh. Correct.

Q Okay. When is the first time you met Ambassador Sondland?

A I believe it was in December at this -- at the meeting we had right before the -- on the -- when we went and had the lunch after the Kerch incident. We had the -- he hosted a lunch for us in Brussels. We may have had a brief pull-aside meeting for 5 minutes and another trip we had through Brussels, but I don't remember. Our first substantive meeting was at this lunch.

Q And how many times in total do you think you were in a meeting with Ambassador Sondland?

A Well, when he came to Odesa, it was -- we had -- I think there was something like 10 meetings that day, and he was in most of those, and we had a -- he and Ambassador Volker, before the meeting, this was on June 19th before the meeting with the Department of Energy, Ambassador Volker and he met in a coffee shop near the Department of Energy and I was in that meeting.

Q Any other time periods where you spent considerable meeting time with Ambassador Sondland?

A It was in the -- at the White House before the meeting with the -- before his meeting with the President. So that would be the 23rd, I believe.

Q Is that pretty much the universe?

A Yeah, I had touch -- I was in more frequent touch with his office. But I did not directly interact with him other than when I was with Ambassador Volker.

Q Do you ever hear Ambassador Sondland describe what I think has been characterized as a large remit to work on issues beyond necessarily the EU?

A There were people who were uncomfortable with his larger remit, but my view was he is someone who is trying to do the right thing and is energetic and has political capital, and so he can help us move the ball forward.

Q Okay. Did Ambassador Volker have any concerns that you were aware of regarding Ambassador Sondland's involvement?

A Ambassador Volker encouraged people who were energetic and wanted to do the right thing to play a role, and he did not think it was useful to try and turn them off.

Q So there was no concern between yourself or Ambassador Volker of Sondland's involvement in some of these things?

A We believed we had to help steer, and he had an nonconventional approach. But, no, we thought he could be helpful.

Q And sometimes people with unconventional approaches, you know, he wasn't a professional diplomat, he was an outside businessman,

sometimes people like that need to be, you know, focused into the proper channels. Is that correct?

A Yes.

Q Did you ever have any communications with George Kent about some of these Biden, Burisma, 2016 issues?

A With Biden, Burisma specifically? No. But if you mean by issues, I did let him know after the meeting that we had with Ambassador Bolton, which I believe was June 10th -- there's a lot of dates swirling in my head at the moment -- but I relayed to him through a message before he -- early in the morning, before he went to his meetings, I had other meetings.

So I gave him a quick message saying, I just want to give you a heads-up. And I said something to the effect of, Ambassador Bolton said he supported our lines of effort, he supported White House engagement, but warned that Giuliani was a key voice on Ukraine and could be an obstacle.

So that was the only communication I remember having with George Kent about the Biden, Giuliani, Burisma, any of that stuff.

Q When did it become apparent to you that there was some effort to convince the Ukrainians to probe allegations related to 2016 or Burisma?

A My last day in the office was July 12th, and so I'm not sure I ever was aware of -- that it had gotten specific. I had a communication from Alex Vindman, which I relayed to Ambassador Volker, I believe it was July 10th, which was basically saying we need to make

sure we separate any collusion investigation stuff from our policy.

Q Okay.

A And that's the message that I sent to Ambassador Volker on WhatsApp, and I made sure that system was available on our State Department servers.

Q A lot of people in the State Department use WhatsApp. Is that correct?

A Correct.

Q It's almost essential in certain parts of the world, right?

A Our counterparts will not respond to text messages in many places. They assume intelligence services are listening, which is a good assumption. And so we have just used that practice.

Q So most State Department officials have a policy or practice of archiving their WhatsApp messages for purposes of the Federal Records Act?

A Yes. I mean, there is some -- it's not always clear what constitutes a Federal record. But, yes, a lot of this is informal communication, which then gets documented in email or other formats.

Q When Vindman expressed concerns on July 10th, granted, that's just before you left the job, do you remember any other color or details that he provided about his concerns?

A That was shortly after the meeting with Danylyuk, is my understanding, and I believe it was in the aftermath of that. But, honestly, I was focused on trying to get Catherine on board and me out the door.

Q Did you attend that meeting, the July 10th meeting?

A No, I did not.

Q And did you get a readout? You may have testified to that.

A I do not believe I got a detailed readout. I do remember hearing from -- I think it was from Alex, saying that it was cut short, and that -- but I did not have time to get a formal readout.

Q Okay. Do you remember if Lieutenant Colonel Vindman expressed any concern about what Ambassador Sondland may or may not have said at that meeting?

A I don't recall. He did in that -- he must have said something because I relayed to Ambassador Volker that Vindman was concerned about separating investigations from our policy.

Q Okay. What was Vindman's view of the National Security Council's, you know, role here with the Sondland piece coming into play? Were they frustrated about the Sondland element?

A Not necessarily. I think there was some concern that there was -- I don't know what he thought about this. I don't think we ever had a discussion about Ambassador Sondland that I can recall.

Q And did you have a relatively good working relationship, yourself and Ambassador Volker, with the National Security Council at the time?

A Yes.

Q Regular communications?

A We had regular communications. And I -- we would have routine -- we would routinely have meetings at the NSC. I would meet

with Alex. And we would have regular coordination sessions, secure communications with the French and Germans, and we would hold it at the White House with either Dr. Hill or Lieutenant Colonel Vindman, so that we could show close coordination with the White House with our partners.

Q No major policy disagreements with them that you can remember?

A There were no major policy differences. I think Dr. Hill sometimes got nervous with Ambassador Volker's forward-leaning approach sometimes. But no policy differences.

Q And how did she -- how did you know that she got nervous about Ambassador Volker's forward-leaning approaches?

A Because it was relayed to me by Catherine Croft when she was at the NSC.

Q Okay.

A And so we made a point of coordinating very carefully. And especially when Catherine was there we would have if not -- I think it was weekly phone calls to make sure that she could let Fiona know, or Dr. Hill know, what we were doing at all times.

Q And did that prove successful or was it still a touchy situation?

A I think she had a very stressful job, but I think she understood we were working within -- we had a common policy view and we respected her authority and position. But I think she was sometimes -- she always wanted more information about what we were

doing.

Q She's excitable, too, isn't she?

A I'm not sure I would characterize her that way.

Q Okay. How would you characterize her -- like how did she manifest her nervousness?

A Well, there was one meeting when she was frustrated, that she believed Ambassador Volker -- that we had not coordinated sufficiently. And so she felt she was not aware of something we were doing.

But, in general, she was a consummate professional, and she was incredibly knowledgeable and knew more about -- it was always insightful to go meet with her because she would always have other ideas of, well, this will impact this policy and this policy. And we were laser focused on Donbas and Ukraine, and she was always interested -- she would always put it in context of other problems they were facing.

Q Okay. And was that the only time she got frustrated with you?

A Yes.

Q Okay.

A Well, the only time she expressed frustration. She may have been frustrated in private, but --

Q Okay. Fair enough.

Any issues with Lieutenant Colonel Vindman? Any disagreements?

A No.

Q No.

We were discussing a little bit earlier a Ukrainian MP, Serhiy Leshchenko. He was an investigative journalist, is that what you understand?

A That is my understanding from news reports and others. I'm not sure I've actually met him personally.

Q Okay. And do you know what exactly he published when he put out the information on Manafort?

A My understandings are based on news reports, so, I mean, I can try to remember those for you if you want. But it's not -- I have no --

Q Okay. You don't have any firsthand information or it wasn't discussed at the Embassy at the time?

A We discussed the news, but I don't remember any -- I have no particularly -- I have no information that was not otherwise available in the news, and I'm not even sure I remember it correctly.

Q Was there any concern expressed at the time that it gets tricky when, you know, officials in the Ukraine are dabbling in what could be considered the U.S. -- in the run-up to the U.S. election?

A We widely understood that Manafort had been working for a manifestly corrupt President. And it was the common understanding -- and again, I'm not substantiating this on any concrete facts, but this is my common understanding that I had from my time there, was that he had engaged in criminal activity and was getting illegal payments.

And this was part and parcel of how opposition bloc operated, that they had -- there were -- which was the party that he was advising, and there was corruption and money flows.

But that's all just common understanding, I have no direct knowledge of that.

Q Do you have any familiarity with [redacted]?

A No.

Q Okay. How about [redacted]?

A No.

Q Okay.

In the run-up to the 2016 election, there was an op-ed by the Ukrainian Ambassador to the U.S., Ambassador Chaly. Do you remember that op-ed?

A I do not.

Q Okay. And it was taking issue with then-candidate Trump's -- some statements he had made regarding Crimea.

A I don't remember that op-ed.

Q Okay.

There's an Interior Minister in the Ukraine, Avakov. Is that somebody you're familiar with?

A Yes.

Q And he's a rather influential person at present, isn't he?

A I don't know at present, but he certainly was in the time that I was in Kyiv.

Q And he's one of the few that survived the transition from Poroshenko to Zelensky?

A I left before the new government was formed, so --

Q Okay.

A -- if you say so, I believe that, but I don't know for sure.

Q Okay. He had some negative Facebook posts and other social media activity with regard to then-candidate Trump. Did you have any familiarity with that?

A No. My discussions with Minister Avakov were relating to the -- were strictly related to a town called Turakanay (ph), which the Russians and the Ukrainians were both occupying, and we trying to figure out if we could negotiate a withdrawal of forces from that area.

And so we had discussions with our assistant secretary at the time and with Ambassador Pyatt about how to do that. And the Russian response was just to raze the whole town and then withdraw. That's all. The limits of my interactions with him in Kyiv were related to that.

And then he came here to participate in the USIP event where he had a proposal for an inkblot approach to restoring control over Donbas. And so those were the only issues in which I engaged with him on.

Q Okay. Fair enough.

Do you have any -- what was your understanding of the interagency decisionmaking process with regard to Javelins in Ukraine in 2016? The policy then changed in 2017. What do you know about that?

A My understanding was there was broad support from the

interagency, and that Ambassador Volker was consulted by then Secretary Mattis or his deputy. And I don't -- and I'm not sure, but he was -- they would check with him to make sure that he supported this policy.

And I just remember that at one point we were traveling in London, and we got a call, we set up a call through the Embassy either the Secretary or his senior advisors, and they wanted to make sure that we were still supportive, or that he was still supportive, Ambassador Volker was supportive of providing Javelins. And he agreed that he was. And they discussed the importance of this issue. And then it was handled at levels above my --

Q What was the administration's position before 2017, going back 2016, 2015?

A There was -- my understanding of the policy was that we did not want to provide lethal defensive assistance because it would undermine the unity of our -- with the Europeans, and would possibly escalate the conflict with the Russians.

Q Okay. And do you know what changed between when the administration -- when there was a switchover in administrations? Do you know what motivated the change?

A My understanding was it was a -- well, I don't -- I was not privy to the top level policy discussions. I will say the situation on the ground had changed in terms of the German National Security Advisor had told us that he didn't think it would be a big problem if we were to provide it.

In fact, he made a joke to us, which was that, well, of course, they will have people in Germany who will complain out it, but they complain about providing weapons to the German military as well. So we thought that -- that's why it stuck in my head.

So the German position seemed to soften. The conflict at that point was much older and it was clear that it escalated. But beyond that I would -- yeah, I would have to direct you to the White House for policy or the principals.

Q Okay. The President's concern about Ukraine's atmosphere of corruption, what was your understanding of the President's beliefs on this, and how did he get there?

A So NSC -- I have no -- I have never met President Trump and I have no direct knowledge of what he believes. I know that when we -- in Ukraine when the transition happened, the President of Ukraine was of the view that, oh, corruption would no longer matter. And what we were telling our counterparts was, well, the language may change in the sense of it may not be the good governance, rule of law language that was happening before, but that we assured him that the U.S. was still concerned about this issue because it went to the heart of is our assistance effective.

So that was a -- that was -- that is the only thing I can speak to, is what we were telling the Ukrainians at the time was that, don't think that we no longer care about corruption. We may be using different words, it's about business climate. And if there is no -- if there is corruption, then there is no -- it's hard for us to get business

here and hard for us to justify providing assistance.

Q Do you know whether the President's concerns were related to his experience as a businessman?

A I do not know.

Q And then the influence of Kolomoisky, I believe you mentioned that earlier.

A Correct.

Q What was the view of the genuine threat Kolomoisky presented to the new administration, the new Zelensky administration?

A I'm not sure I understand the question. What did I think the threat was of Kolomoisky?

Q Well, what was the considered judgment of the interagency regarding Kolomoisky?

A I don't know if I can represent the interagency writ large. I can tell you that President Zelensky came to power promising to be a servant of the people, as his slogan is. And if he were to pursue the interests of a single oligarch, that would undermine our efforts. But I don't think I can speak to anything broader.

Q Was there any concern that while on one hand President Zelensky was elected on an Kolomoisky platform, on the other hand he was -- you know, had the support of a major oligarch that had his own corruption allegations?

A I'm not sure I would necessarily accept the premise of that question in the sense of we did not know to the extent -- it was not a given that he really represented Kolomoisky.

Q Okay.

A It was --

Q Was it Kolomoisky was a supporter of his? Is that fair?

A He had appeared on Kolomoisky's TV channel, and President Zelensky -- or then-candidate Zelensky said -- was quite clear that he did not represent Kolomoisky, and that Kolomoisky had benefited quite significantly from his presence, from Zelensky's content being on his channel, and that he didn't think he owed Kolomoisky anything.

So, you know, we -- I don't -- yeah, I think that's what we knew.

Q Do you know if the National Security Council officials, Dr. Hill and Lieutenant Colonel Vindman, had concerns about Kolomoisky?

A I think you'd have to ask them.

Q Okay. But you don't remember any discussions where they raised that with you?

A There were discussions about that it was important that Zelensky demonstrate his independence and pursue Kolomoisky reform, but I think that's -- I think that's about all I can say to that.

Q In your view, did President Zelensky demonstrate that, at least up until the time that you left the post?

A When I left on July 12th he had not had -- he did not even have his own foreign minister in place.

Q Okay. So it was too early?

A So it was too early.

Q Okay. The inauguration, that you spoke earlier today in another round of questioning about how quickly the delegation had to

come together, and you mentioned your involvement with that, looking for a Cabinet secretary. And at one point I think you said that there was an interest in having the Vice President join the delegation?

A Or to lead the delegation. But, yeah.

Q And, ultimately, the Vice President was unable to do that. Is that because of scheduling conflicts or --

A I don't know.

Q Do you know any facts about that decision of the Vice President not to go?

A I don't.

Q Okay. And the inauguration was put together in 3 or 4 days? How was --

A It was put together very quickly. What the Ukrainian Embassy told me was that Zelensky wanted to seize the moment, and there was a lot of back and forth over when the inauguration would take place, some proposals for it being I think as late as June 5th or 6th. But that Zelensky wanted to seize the moment, I think was the -- or strike while the iron is hot, or something to that effect. But I don't know. That was just what was relayed to me by an Embassy official.

Q So the U.S. had 3 or 4 days to put this delegation together?

A We had to scramble, yes.

Q Okay. What was the nexus for Secretary of Energy to be involved with this trip?

A I do not know. I believe I received an email or a communication of some sort that said that he was available and

interested.

We looked at -- I remember there were -- and, again, just to be clear, I was not the one directly involved with it, but I was providing input. There was a question of some other people also participating, and they were -- several people were either unavailable or at funerals or some other situation.

So as to why Secretary Perry was interested, you'd have to ask him or his staff.

Q Were you ever in any meetings with Secretary Perry?

A I was in two meetings that I can recall. One was the White House prep meeting before his meeting with the President, and then the other was the meeting at Department of Energy on June 18th.

Q Okay. You know, at some point I believe Ambassador Sondland started representing himself, Ambassador Volker, Secretary Perry as the three amigos. Is that something you remember?

A That does sound familiar. Although, when I looked back through my emails, I also saw that as a reference to myself and my French and German colleagues. So I'm not sure if that --

Q Okay. And what was the, as it related to Ambassador Sondland, Volker, and Secretary Perry, what was the three amigos? Do you remember where that came from?

A I don't. It was the three of them working together on a complex policy issue, so -- but beyond that, I don't -- I don't know.

Q Did you ever hear Ambassador Volker refer to himself as one of the three amigos, or was that mostly a Sondland thing?

A I don't remember Ambassador Volker using that phrase.

Q Okay. In your time working for Ambassador Volker, he's somebody you had great respect for? Is that fair?

A I do. He is a very accomplished diplomat, very polished and very good at public diplomacy. And I learned a lot working with him.

Q Somebody who always acted, to the best of your knowledge, with honesty and integrity?

A He was committed to a mission, and he believed that it was vital that the U.S. stand with Ukraine and that we push back against Russian aggression. And that, I think, was a core belief of his that has motivated him for a long time, and I shared that belief.

Q Now, were you working for Ambassador Volker during the time period when he started to work with Yermak on a possible statement that President Zelensky would make to demonstrate his commitment to Kolomoisky?

A I am not aware of any effort of his to craft a statement. So all I can say is he had been in touch with Yermak, who was believed to be the next National Security Advisor, but what they discussed, I don't know. That was right as I was finishing up.

Q And he had a pretty good relationship with Yermak, to the best of your knowledge?

A I believe they had met once or twice by the time I left.

Q So their relationship was just in the early stages?

A As far as I can recall, yes.

Q How about with Danylyuk? Did Ambassador Volker have a good

relationship with Danylyuk, to your knowledge?

A To my knowledge, they met several times and they seemed to get along relatively well, although I don't know if I was ever in a meeting with them together. But I don't remember. But he seemed -- but Ambassador Volker seemed to respect Danylyuk and believe he was helpful.

But I'd add one thing about Ambassador Volker, where he is a consummate diplomat. And I think in our last trip together in Toronto he demonstrated that by -- we met with the socialist, her own phrase, feminist socialist, Foreign Minister of Sweden, the nationalist, his term, Foreign Minister of Hungary, and several EU officials and Ukrainian officials, and all of them, despite their diverse political perspectives, all thought Volker was an ally and a key partner.

And I think that very much was Ambassador Volker's approach, which was to talk to people in the terms of reference that they understood and to try and work with people to get them to the right place.

Q The trip to Toronto you took with Ambassador Volker -- how many trips do you remember taking with him?

A It was about one a month. My wife insisted it be no more than one a month because there was a lot of travel. So it was several, probably around 20 or so, over the 2 years.

Q And what do you remember about the trip to Toronto?

A It was a full schedule. We started -- we had meetings from 6 o'clock in the morning to I think about 10 o'clock at night.

We met with President Zelensky, which was supposed to be a

30-minute meeting, and I think it lasted almost an hour, and we kept Prime Minister Trudeau waiting.

And we met with, as I mentioned, the Swedish Foreign Minister, the Polish and Hungarian Foreign Ministers, senior EU officials, civil society. And we did a press -- he did a press briefing. And we also had some time to listen to Prime Minister Trudeau speak. And he also attended a dinner with the foreign ministers and other high level officials.

Q How many other meetings were you in with President Zelensky?

A I'm pretty sure there was only one other meeting that I met with him, where I was in a meeting with him, and that was in Kyiv. And that would have been before the first round of the elections, if I remember correctly. So before he was President.

Q The meeting in Toronto, what do you recall from that meeting?

A There was --

Q What was the date of that again?

A July 1st or 2nd.

Q July 1st or 2nd.

A And I wrote up a summary, an informal summary, which I sent around. There was also a formal cable summarizing the full trip.

But it was a discussion about -- President Zelensky reiterated that he wanted a White House meeting. President Volker urged him to make a -- to set up a phone call with President Trump.

President Zelensky expressed some concern that perhaps that might obviate the need for a White House visit, and President -- Ambassador

Volker assured him that it would not, that developing a personal relationship with the President would be helpful to the effort of a White House visit.

President Zelensky reiterated that they had made progress on a few of the areas we had identified. They were making progress on securing agreement to the process, paperwork, bureaucratic reality to purchase Javelins, that they had just announced some energy tenders which had gone to some U.S. companies.

And I believe there was one other area of progress, and there was some discussion about what President Putin had been doing, about some what were called disengagement areas where the two sides were hoping to create a line of separation between the two forces.

And the idea that we had come up with when I was in Kyiv was to try and identify three areas we could start that were sort of lower risk, build some separation there between the forces, and then over time expand along the line of contact. And so there was a particular focus on one town called Sanysluhanskin (ph), so he talked about that.

We also talked about the possibility of a joint visit with Ambassador Volker and President Zelensky. His advisor later pulled him aside and said, I don't think President Zelensky could do that trip. But we talked about a joint visit of some sort later that month.

Q Okay. Did you talk about the 7/10 meeting with Danylyuk and Bolton upcoming?

A Not that I'm aware of.

Q And what other U.S. State Department officials were there

in the meeting, do you remember?

A Deputy Assistant Secretary Kent was there. There would have been also the -- our Ambassador to Canada, who is now our Ambassador to the U.N., who I believe the name is Cook, I think, but I'm not certain. But our Ambassador was there. A political officer from the Embassy was there as well. And I think our Assistance Coordinator was also there.

Q Ambassador Sondland was not there?

A I don't believe so.

Q Ambassador Taylor wasn't either?

A No, I believe he was in Kyiv. Yes, he had sent in an email the day before the meeting highlighting -- summarizing progress on deliverables and trying to refine some things that we could ask.

Q And do you remember any discussion with President Zelensky, Ambassador Volker, about any of these -- the investigations of 2016 or Burisma?

A No. But there was some discussion about the -- one of the members of the Ukrainian delegation made a joke about, we won't hold you accountable for -- don't hold me accountable for who I represented as a lawyer. He had been a lawyer who had worked for Kolomoisky. And he said, well, don't hold me accountable for who my clients were. And then there was some joke about Giuliani as well. But that was it. I don't remember the actual sort of the --

Q A lighthearted moment?

A Yes.

[4:39 p.m.]

BY MR. CASTOR:

A I don't remember the actual -- the --

Q A lighthearted moment?

A Yes.

Q And they understood the Ukrainians, to the best of your knowledge, understood that Ambassador Volker, DAS Kent, represented the interest of the United States?

A Yes, they were -- Ambassador Volker was seen in many ways not just the negotiator, but as the broader voice on Ukraine policy.

Q So if there is an official U.S. position, or an official U.S. request, Ambassador Volker would be a reliable person to communicate that?

A I don't know what the Ukrainians believed, but Ambassador Volker was our -- my understanding was he was trusted by the Secretary to carry forth policy. So what he stated I took to be U.S. policy.

Q Did you ever have any discussions after the meeting with DAS Kent about what occurred in that meeting?

A Um --

Q Did DAS Kent express any concerns?

A I don't believe we discussed -- I don't remember discussing that trip. I think he then went on leave right afterwards and I finished up, so --

Q Okay. Did DAS Kent send you any readout of the meeting, or did you send my readouts yourself?

A I sent out a readout to the broader State Department audience.

Q So you were the person that did the email, summarizing the meeting?

A I didn't email summarizing the meeting, but the official record was from the Embassy. There was an Embassy cable summarizing the trip and other things, but I sent an email that was -- the idea that that would be the grist for the most of it. There was an official note taker, but I wanted to get a quick summary out to people, so they could take action if necessary.

Q Did the official note taker, DAS Kent, take issue with your readout of the meeting?

A No.

Q Okay. So there was no dispute about what had occurred there?

A No.

Q Okay. And so, like you said, there was no mention of investigations, or a statement, or anything of that sort. It was just a lighthearted moment about Rudy Giuliani?

A Not that I remember.

Q Do you remember any discussion about having President Zelensky do a CNN interview talking about his anticorruption initiatives --

A No.

Q -- or any other interview on TV?

A No.

Q When did you first become aware that there was an effort to undercut her ability to serve as ambassador?

A I actually don't know much about this situation. I -- I was outside that -- that process.

Q Okay.

A So I don't know much, yeah.

Q When did you become aware that there was an issue?

A I think April, maybe May.

Q And how did you become aware of it? Was it news accounts, or was it internal State Department?

A I think it was probably at a staff meeting, but I'm not sure. I don't remember.

Q Okay. And do you remember what was communicated generally?

A What I remember -- what I remember learning was that there was -- they were considering withdrawing her from Kyiv. And this was right around the time, I believe, she was back in D.C. to receive a -- she was inducted into the National Defense University's Hall of Fame for her excellent service. And I think that is when I -- I believe that is around the time when I heard that she may not go back, or she may be recalled.

Q Did you have any discussion with Ambassador Volker about the situation?

A I notified him that that was a possibility. And I asked if he wanted to do a statement of support or do any -- a tweet, or anything of that nature. And he said, not at this moment, and then he -- yeah.

Q He had a good relationship with her, to the best of your knowledge?

A To the best of my knowledge, they did.

Q Do you know if he spoke to her during that time period when she was -- just before she was recalled or brought home, whatever the appropriate term is?

A I believe I tried to set up a phone call at one point, and he told me that he'd already spoken to her.

Q Okay. You had worked with Ambassador Yovanovitch relatively closely, I think you mentioned.

A Yes.

Q And so you had a lot of respect to her?

A I do.

Q Did you have any communications with her while this was going on, or after she had come home?

A I attended her induction into the National Defense University Hall of Fame, and my -- I continued to have contact with her. There was a funeral for her mother, I think on Saturday, I attended that funeral.

Q Okay. Sorry to hear the passing of her mother. When she was visiting with us, we understood that her mother was not doing well, so we certainly pass our condolences along.

A It is a tough period, yes.

Q Did Ambassador Yovanovitch ever relate to you the source of her being brought home?

A No.

Q So you never had any discussions about Rudy Giuliani, whether he was amplifying a negative narrative relating to her?

A She would -- no, she's a consummate professional, and would not have engaged me on those issues.

Q Do you know if Ambassador Volker tried do anything to engage with State Department officials, to support Ambassador Yovanovitch prior to this time period?

A I do not know.

Q You never had any discussion with him about it?

A I asked him about, as I said, about whether we should do a tweet, and he said no. And at one point, we were discussing another way that we could maybe when the State, the Embassy announced her receiving this award for the National Defense University, whether we would amplify that and congratulate her, but by that point, she had been -- I'm not sure the Embassy ever did an announcement of that.

Q After you left, there was a hold put on certain Ukraine aid. I believe that was on July 18th I believe, it was July 18th. Did you have any advanced warning that that was going to be an issue?

A No.

Q So at the time that you departed your post, there were no issues regarding aid?

A I did not know anything regarding aid by the time that I left.

Q During the transition period with yourself and Ms. Croft, what were some of the transition tricky points? You pointed out to

her about the job, specifically about the Rudy Giuliani component in some of these nontraditional forms of diplomacy that were ongoing?

A I don't believe we discussed -- I don't remember discussing Rudy Giuliani specifically. We talked a lot about the substance of negotiations. I still sincerely believed that we might be able to get rushed back to the negotiating table. So we talked about sequencing an interim peacekeeping force; what special status would look like; what you need to do in the fall; what are some things coming up; a lot of discussion about Ambassador Volker's possible joint visit to the front lines of eastern Ukraine. And as you might imagine, organizing a visit to a war zone is complicated. And so there was a lot of discussion of that. I think there was discussion about working with Ambassador Taylor. But part of the reason she -- she spent in Kyiv. Part of that was to make sure she had a good relationship with the team there. But I don't remember a specific conversation about Giuliani.

Q Prior to your interview here today, and you'll have to excuse me, as it works here on the Hill sometimes the minority doesn't have advance notice of what witnesses are coming, and for what reason, we get to show up, and so we do. We like to participate in a meaningful way. Did you have any idea about why the committees were interested in speaking with you?

A I had expected that for a long time since I was working for Ambassador Volker that either my documents or myself would be subpoenaed, but --

Q Okay. So it was just because you were working with

Ambassador Volker that you thought the committees would want to speak to you?

A I think you have -- yeah. I'm not sure I understand.

Q Did anybody give you any topics that were of particular interest today?

A I had no advance notice of what specific questions or comments, so I prepared by reviewing my notes, but reviewing my emails, and trying to, sort of, make sure I had an understanding of the timeline in my head.

Q Okay. Did anybody at the State Department try to encourage you not to participate, other than letter from Under Secretary Bulatao?

A Other than Under Secretary --

Q -- communications, did they come and tell you not to -- I'm asking if you had any --

A I received some emails, and I notified them of my attorney, that I had an attorney, and then they directed all communications to him. So I don't know if you want to ask him.

MR. CASTOR: I don't.

MR. MACDOUGALL: I'm not answering any questions and I'm not under oath.

MR. CASTOR: I didn't indicate I was going to ask any questions.

MR. MACDOUGALL: Ask the witness your next question.

BY MR. CASTOR:

Q So did anybody in L encourage you not to participate in this process?

A I believe I had one email initially. I don't remember who it was from, but I notified them I had an attorney, and all communications went through him so --

Q How about anybody in leg affairs?

A I don't remember. It was either, I received an email from maybe it was one or two emails, and it was either from L or H, I don't remember which they were. I immediately just said, Okay, this is about this issue, talk to my lawyer. I did not want to get involved in a sort of a -- yeah. I wanted to make sure my lawyer was involved in all those things.

Q Were you a part of any meetings at the State Department regarding collection of documents?

A I was called. I am now a language student, so I do not work in the main State Department building. So when there was a subpoena, they called me and said you need to -- there was a tasker from our executive secretariat saying, Here is what you need to do, and I made a point of doing that. And I think it was time 24 hours. And so I stopped my studying and worked on making sure all my documents were available. And I notified people that if there were relevant documents, where they would be in my office, or my former office.

MR. CASTOR: My time is up.

MR. GOLDMAN: Should we take a 5 minute break?

MR. MACDOUGALL: Yes.

MR. GOLDMAN: Come back at 5:o'clock.

[Recess.]

MR. GOLDMAN: We are back on the record. And majority's round of 45 minutes, Mr. Mitchell.

BY MR. MITCHELL:

Q You testified earlier that Ambassador Volker had what you described as a forward-leaning approach. What did you mean by that?

A That he wanted the government to be nimble, and to make policy decisions quickly, and not spend endless -- not to go through endless committee reviews, and we know what we want do, let's go ahead and do it.

Q Did that affect the way in which he conducted diplomacy?

A We had many discussions about the need to move quickly and try to get things done. So in that respect, I would say, yes, but -- so yeah.

Q You testified earlier that Dr. Hill expressed frustration about, I think you said what we were doing, but I don't think you elaborated what that was. Do you recall what you were doing that caused frustration by Dr. Hill?

A I actually don't and I think -- I don't recall. It was around the time of a Presidential meeting with his -- with President Putin, but I don't remember which one it was, and I don't remember the specific issue that it was.

Q To the best of your recollection, did it have anything to do with Ukraine?

A It was more -- what I recall is that it was a question of coordination and her not getting -- being frustrated because she

thought she should have known something. But I don't remember the substance, and it was not something she disagreed about what we were doing. It was more information flow, management sort of questions.

Q You testified earlier that you had a communication with Ambassador Volker in which -- some time in May, I think it was, in which he told you that this issue, that being Rudy Giuliani, was not going to go away. Do you recall that?

A Yes.

Q What was your understanding of what Ambassador Volker meant by this issue?

A What I understood was, I had hoped that this was a passing issue that with -- that was linked to maybe Serhiy Leshchenko or something else, and that the tweets would be the end of the story and we would move on. And Ambassador Volker -- I took it to mean Ambassador Volker was warning me that No, Giuliani is not moving on to other issues, and so this might still be a problem for us moving forward.

Q You mentioned Leshchenko. But what do you mean by "this issue"?

A So Mr. Giuliani tweeted that there were enemies around -- enemies of the President around Zelensky. And we took it to be problematic for improving our relationship if he was still spreading that message, that there were enemies that Ukraine -- the people around President Zelensky were enemies of the President. So that is what I meant by this issue.

Q With the President being President Trump?

A Enemies of President Trump around President Zelensky.

Q All right. And this issue was one that you were concerned with at the time, correct?

A Correct.

Q As was Ambassador Volker?

A We discussed, assuming what he was concerned with, but it was something to discuss and improve.

Q But can you explain why -- was Rudy Giuliani just any old U.S. citizen who was doing this, these efforts in Ukraine, or was your concern related at all to the fact that Giuliani had a close relationship with President Trump?

A Well, I don't actually know how close his relationship was with his -- with the President. I -- but what I worried was that he would -- that if this continued, it would influence the President's thinking about Ukraine, and that would be problematic for our efforts to reenergize our relationship.

Q It was your understanding at the time that Rudy Giuliani could have some influence over President Trump?

A Correct.

Q To be clear again, when you say "this issue," you're talking about Rudy Giuliani, but you're also talking about specifically the investigations that he was peddling into Biden, Burisma the 2016 U.S. elections, correct?

A Not precisely. I was -- it was more the sense that Ukraine was -- there are enemies in Ukraine that Ukraine was not an ally. I

believe that Ukraine -- that Ukraine is a strong partner of the United States, we have strong security relationships, and the Ukrainian Government is trying to achieve closer integration with the West, and that that was a core priority, and, therefore, worth supporting because it achieved our U.S. interest. And this, what I took to be false perception, is there were enemies of the President in the President's administration was inaccurate, and would be a problem for our policy moving forward.

Q You're focusing now on that specific tweet, but Rudy Giuliani, as you testified earlier, was pushing investigations as well in Ukraine, correct?

A There were news reports about that in The Hill, I believe, in March and April.

Q And you testified a couple of times about separating general anticorruption efforts with conducting specific investigations. What did you mean by specific investigations?

A There were news reports that I've since read -- there were news reports back in March and April, and from what I learned later, that was referring to Burisma, and I was not involved in that level of detail. So what I knew was that Giuliani had the potential to undermine efforts to improve relations.

Q But on July 10th, you indicated that you had a conversation with Lieutenant Colonel Vindman, correct?

A Correct.

Q About -- was that about specific investigations?

A I don't remember the full details of that conversation. What I remember is the message I sent back to Ambassador Volker, which was -- which was talking more the broader policy, and I relayed that Vindman had said -- had expressed concern about the need to maintain our policy and keep it separate from investigations and collusion.

Q When you say "collusion," you mean -- what do you mean by collusion?

A I took that to mean general concerns that -- I don't even know the contours, the specific contours of this idea, but it was referring to some idea that Ukraine was involved, that it was Ukraine involved in the 2016 election, not Russia. But again, I have not tried to sort out the details of that situation, so I just knew that there was a theory about the 2016 election that did not match with what our Intelligence Community had identified, and that that was a confusion.

Q And this communication that you had with Ambassador Volker relaying Lieutenant Colonel Vindman's concerns on July 10th, was that following an earlier meeting on July 10th at the White House with a Ukrainian delegation that Vindman was part of?

A I don't know where it falls in the sequence of events of that day. I can check the time stamp, but I don't remember at the moment.

Q Can you recall whether Volker was part of that same meeting?

A I believe he was, but I don't -- I believe that there was an effort that he would be involved. I don't remember if he actually was. He had a very complicated schedule of traveling a lot for both this job and for his other job. So, I don't know -- and when I was

looking through my notes, I saw that he was authorized to be in the meeting. I don't know if he actually attended, I don't remember that.

Q So you didn't talk to Ambassador Volker about that meeting?

A No, I think -- no, not that I remember.

Q Okay. To the best of your recollection, sitting here right now, today, do you recall what Lieutenant Colonel Vindman told you about that meeting?

A No. All I recall is what I mentioned about relaying it. In fact, I didn't remember that I had this conversation until I was looking back through my notes to try and prepare, and I saw this message to Ambassador Volker.

Q Okay. All right. Going back to the time period at the end of May, there was a May 29th invitation letter from the White House to President Zelensky. Were you involved at all in the drafting of that letter or the issuance of the letter?

A I was not.

Q On June 13th, in your opening statement, you say that you accompanied Ambassador Volker to a meeting with National Security Advisor John Bolton?

A I think June 13th was the Department of Energy meeting.

Q Do you have your statement in front of you, sir? Page 3.

A So yeah, the 18th, yeah, okay.

Q So that meeting on the 13th, it was Ambassador Volker, National Security Advisor Bolton. Who else was there?

A The standard practice was for Dr. Hill to be there, Alex

Vindman to be there, and then possibly Ambassador Bolton's deputy or someone else, but I don't remember the actual set list.

Q Did you take notes during that meeting?

A Presumably. I don't remember specific taking notes, but presumably I did.

Q Do you know if there was a readout from that meeting?

A There was definitely a readout. And I sent one to George, an informal one the first thing in the morning so he would have something for his morning meetings. And then I would have sent a high side email later that day.

Q Okay. And you indicate in your opening statement that Bolton cautioned that Mr. Giuliani was a key voice for the President on Ukraine, which could be an obstacle to increased White House engagement. What did National Security Advisor Bolton say about Rudy Giuliani?

A To the best of my recollection, he made a joke about every time Ukraine is mentioned, Giuliani pops up and that the President was listening to Giuliani about Ukraine.

Q Anything else?

A That is what I remember.

Q Did anyone else -- how did anybody respond to that comment by Bolton?

A I don't remember a response; these meetings were pretty compressed, and we covered a lot of ground in those meetings. So I think that's when we -- I think that's when we switched to Well, could

we get the Vice President to go to Toronto, or what are some other engagement options?

Q And also in your opening statement, you said that this could be an obstacle to increased White House engagement. What did you mean by that?

A If Mr. Giuliani is saying that Ukraine is an enemy of the President, or that there are people in Ukraine that are an enemy of the President, then that would make it -- then the President would be unlikely to engage on Ukraine issues, or develop a positive relationship with the new administration in Ukraine.

Q Because President Trump may listen to what Rudy Giuliani, his personal attorney, says to him?

A Presumably.

Q And you indicated that you relayed a summary of this meeting to DAS Kent?

A Correct.

Q Did you have a conversation with DAS Kent about this meeting as well?

A Not that I recall.

Q All right. Then on June 18th, you had another meeting with Secretary Perry, the Department of Energy, and there was a preparatory meeting for that as well?

A Not the -- no. We met Ambassador Sondland for coffee, I think, half an hour before the meeting, but I don't know if that -- maybe -- that could be considered preparatory, but not a broader

preparatory like we had with the -- at the White House.

Q When you were talking with Ambassador Sondland at coffee, did the topic of Rudy Giuliani or these investigations come up?

A Not that I remember.

Q What about during the meeting with Secretary Perry?

A I don't remember any specific discussions about Giuliani, but I know that in my conversation with Ambassador Taylor later that day, we talked about the need to make sure we don't talk about individual investigations, which -- yeah, so presumably, there was something that made -- that made us discuss that.

Q What you mean by that is, there would have been a discussion during a meeting with Secretary Perry about individual or specific investigations based on your communication after the fact with Ambassador Taylor?

A I don't recall -- I don't recall that, and when I did the -- I did a summary email of the meeting, and there is no mention of that. So I think it was more just a -- it may have -- so I don't recall anything -- I don't think that's an accurate -- I don't think I can accurately say I recall that.

Q Do you know why you would have sensed this meeting -- sorry -- this communication to Ambassador Taylor after the meeting regarding the importance of not calling for a specific investigation?

A Well, I called to talk to him about the atmospherics of the meeting, the general mood, and how things are going, and how we could

move forward on these three lines of effort. So, it may have been that we knew he was worried about Giuliani, and so maybe he raised it that way, but I remember because -- I just remember that we were -- we did say it was important not to talk about -- not to push for individual investigations.

Q And why?

A Because if you're going to do individual investigations there is a formal process for that, which is the, we should go through the Department of Justice and our policy is for anticorruption writ large, not individual cases.

Q And when you say our policy, you mean the policy of the State Department?

A Longstanding U.S. Government policy, as I understood it, was that we did not interfere in individual cases. We tried to set broad policy strokes of moving forward of anticorruption.

Q And, in your mind, would it be a problem -- other than it would be contrary to longstanding U.S. policy -- would it be a problem to call for investigations into specific cases, not through an MLAT channel?

A I would be concerned about changing policy without appropriate consideration, but that is -- yeah.

Q You said earlier about a delegation to Toronto at the beginning of July which you also attended. Is that right?

A Correct.

Q Do you recall Ambassador Volker meeting with President

Zelensky during a pull-aside?

A There was -- as -- yes, after the big meeting, he had a brief pull-aside with President Zelensky and a few of Zelensky's staffers.

Q Were you present for that pull-aside?

A I was not present for that -- well, I was in the room, but I was not part of that conversation.

Q Other than Volker and President Zelensky's staffers, who else was part of that pull-aside?

A I don't remember. I don't remember any other U.S. official being present in the pull-aside.

Q Did Ambassador Volker tell you before the pull-aside what he was doing?

A No, it was not uncommon. In fact, it was quite routine to have a pull-aside with the leaders to have a small -- smaller session after or before meetings.

Q Did Ambassador Volker tell you what happened during the pull-aside after?

A I don't remember getting a readout of the pull-aside.

Q Are you aware of a conference call on or about June 28th between Ambassador Volker, Sondland, Taylor, and Perry?

A I remember that there was a -- there were conversations that they had. I'm including one that I think Ambassador Bolton organized, but I don't remember that one in particular.

Q Do you know whether the same group of individuals spoke with President Zelensky on or about June 28th by telephone?

A I do not remember.

Q Did Ambassador Volker ever tell you that these communications that occurred on June 28th need to be kept very close-hold?

A I -- I don't even remember him telling me about these phone calls. So I don't -- so there would be no -- I don't remember him also saying keep it close-hold.

MR. GOLDMAN: Off the record.

[Discussion off the record.]

BY MR. GOLDMAN:

Q So Mr. Anderson, a couple of just general questions. Do you have any knowledge of any conversations or communications -- withdrawn.

By the time that you left on July 12th, did you have any knowledge of any conversations, or communications, between Ambassador Volker and any Ukrainian officials about any specific investigations that Ukraine might initiate?

A No. I don't remember -- I don't recall Ambassador Volker talking about specific investigations.

Q How about that term, or the term "investigations"?

A Not that I recall.

Q So if he did, he just didn't tell you about it. Is that your testimony?

A If he -- or that I don't remember, because I -- all I'm saying is I don't remember that. So if he --

Q Okay. You've outlined a number of conversations that you

had with various American officials about this issue of investigations. Are there any other conversations with any American officials about broadly the notion of investigations that were in the -- that were in the media at a minimum that you can recall?

A You're talking about at the time I -- by the time I left.

Q By the time you left --

A In the last -- few weeks.

Q What I'm trying to get at is not what you've read in the press --

A Right.

Q -- but any conversations you had in your role as a Foreign Service officer, whether it was before July 12th, or perhaps after July 12th.

A I had discussions with my counterpart at the Ukrainian Embassy, where I reiterated that our policy was to pursue anticorruption and antitrust reform broadly, that we were not, despite what he was reading in the press, that was -- despite these other things, what we were focusing on were these issues.

Q What prompted you to have that conversation with this individual in our Embassy in Ukraine?

A This would have been here with a Ukrainian diplomat, and it would have been perhaps him asking, Well, what's going on? I don't remember the specifics, but it would be -- it was the type of conversation in response about news reports.

Q And when was this?

A This would have been May or June. I don't recall specifics.

Q And other -- what specifically in the news reports did this Ukrainian diplomat ask you about?

A I don't remember.

Q But do you recall that it related to some of these narratives about investigations in the media?

A I remember having a conversation about anticorruption, and what we really wanted him do in anticorruption, which related to the anticorruption court, related to PrivatBank, illicit investment (ph) and to -- and that was really what our key levels were that we wanted on anticorruption.

Q I understand, but what did he ask you about? That's the question.

A So one I thing I have to be careful about is saying what a foreign official told me specifically. Just as a general rule, I don't think we do that, but I don't recall specifics. What I remember is a general discussion about this topic, and so, I could presume what would spark that, but I don't think that's appropriate for me to speculate. But what I remember is that we had a discussion about what our actual policies were.

Q But you understood that the news reports at the time related to investigations of Biden and Burisma and the 2016 election?

A I remember there was confusion, so I reiterated what our actual policy was. But I don't remember the details.

Q Okay.

You have been hewing very closely to this idea of this tweet that you have in your opening statement about Americans. I am going to show you a news article, which we'll mark as exhibit 1, which is a May 9th, 2019, New York Times article.

[Majority Exhibit No. 2
was marked for identification.]

MR. GOLDMAN: Do you want a copy?

MR. CASTOR: I have one.

MR. GOLDMAN: Sorry, we're at exhibit 2. You put "1" in.

BY MR. GOLDMAN:

Q Is this article familiar to you?

A I don't remember the specific article, but this does, but I remember this issue coming up. And I subscribe to The New York Times.

Q Okay. Well, I'm just going to read a couple of paragraphs that I think are relevant: Mr. Giuliani said he plans to travel to Kyiv, 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 interest -- 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's son and a gas company owned by a Ukrainian oligarch.

So this is May 9th. And you said you subscribe to The New York Times, right? And your entire job is to focus on Ukraine?

A Yes.

Q Fair to say --

A Sorry.

Q Fair to say that if The New York Times has an article about Ukrainian foreign policy, that that's something that would have come to your attention?

A I was aware of this issue, yes.

Q So is it also fair to say that as of around this time, you were aware that it wasn't just the tweet about President Trump having enemies in Ukraine, but you were also aware that Rudy Giuliani was pushing Ukraine to initiate these two investigations?

A Yes.

Q Okay. And so, from that point forward, every reference to specific investigations that you testified here to today, related to these two investigations. Is that accurate?

A I wouldn't -- I think it's being a little specific. If we knew that there was this issue out here -- out there, the trip did get canceled, and we knew that there was there effort. I think that would be why -- this goes along with why we were talking with Taylor about the need to avoid specific investigations. This would also be why, perhaps, the Ukrainians were asking, Well, what is the policy, and I reiterate what our official policy was.

Q I actually am trying to get you to be more specific intentionally, because you continue to draw it out to say this issue or these matters. And I'm wondering, are there any -- when Ambassador

Taylor references specific investigations on June 18th, are there any other specific investigations that you think he might be referring to than these two, Biden, Burisma, and 2016 election?

A I'm not sure I can -- I think you're asking me -- I think we were not specific, because this was not -- we were not that specific because this was an issue floating around outside our official purview, outside of our official duties, and so, it was something we were aware of, but we were not focused on this. This trip was canceled. I mean, this was not my official responsibility. I was aware of it, we knew there was risk that if this continued, it could impact our official duties, but this was not something that anyone had told me at the time that Hey, this is something you need to take care of or you need to focus on. So it was -- I think the reason we were not specific is we knew there was some -- this was a possibility out there and so, we were trying to -- we were still trying to operate in the normal policy channel of here's what we would like. Here's what our policy is and trying to make sure we kept that walled off.

Q And the specific investigations were outside of the official policy channel. Is that right?

A It was -- it was not within my policy of Ukrainian negotiations.

Q I am fully aware of that, and we fully understand that this is tangential to what you were focusing on. But it also was tangential to the original job that Ambassador Volker was focusing on, yet, he was very involved in this. So the reason we're asking you these

questions is because you were the special -- you were Ambassador Volker's deputy essentially. And so, we're trying to understand what the dynamic was, even if it's unrelated to what your activities are. But when you say "specific investigations," that's your term, and we're just trying to understand what you mean by specific investigations that you and Ambassador Taylor wanted to keep out of the official policy as you described that conversation.

A I'm sorry. What is the question?

Q What are those specifics investigations, as of June 18th, when you had this conversation?

A It would be investigations of the nature referenced in this article.

Q Okay. And in this article, the two investigations are the Biden Burisma investigation and the 2016 election --

A Yes.

Q -- correct?

A But we did not specifically -- I don't remember ever specifically discussing these specific investigations. It was more -- this general approach was not part of our official policy.

Q Understood. And these were the same -- were these the same investigations that you understood Colonel Vindman to be referencing in that conversation on July 10th when he said that we need to keep collusion and investigations out of the official policy?

A I would say indirectly, it was Giuliani's efforts.

Q And I think you testified earlier that you drew a distinction

between anticorruption efforts and specific investigations. Is that right?

A Correct.

Q And you felt like anticorruption efforts, writ large, were part of the official U.S. policy, correct?

A It was our policy to push -- we have specific deliverables on anticorruption that we had developed. Individual investigations were not part of that policy that I was aware of.

Q And, in fact, advocating for specific investigations was something that ran counter to U.S. policy to root out corruption, correct?

A As I understood policy at the time, it was contrary, yes.

Q And you did review the July 25th call record between President Trump and President Zelensky, correct?

A I read it in the papers.

Q Right. You only read it when it was published?

A Right.

Q Understood. And to your recollection, does the President reference the specific investigations, or does he reference broader anticorruption efforts?

A That is not related to my --

MR. MACDOUGALL: Wait, wait, wait. Let me object to that. If I understand your question, you're asking the witness, based upon his review of a public document what his analysis is? Is that your question?

MR. GOLDMAN: Yes, as an expert on Ukraine and foreign policy and someone who is in charge with implementing foreign policy.

MR. MACDOUGALL: Can you restate the question?

MR. GOLDMAN: Sure.

BY MR. GOLDMAN:

Q You read the July 25th call record. Did President Trump reference the specific investigations that you understood Rudy Giuliani to be advocating?

A I'm not sure I can answer that question. It seems like I am being asked to speculate on something I'm not familiar with.

Q You're not asked to speculate. You are asked did you read a document? Did -- well, let me ask you this way: Did the call record mention the word "Biden"?

MR. MACDOUGALL: You're asking him which does he recall?

MR. GOLDMAN: I'm happy to show you the document if you don't remember it. It's not a very -- it's not a controversial topic here. And I don't understand why it is so difficult for you to answer the question.

MR. ANDERSON: Because this was not --

MR. MACDOUGALL: The question you are asking is it his recollection, you can show him the document if you'd like, specific as to the facts. Is that the question?

MR. GOLDMAN: Yes.

MR. MACDOUGALL: Well, mark the document. This is exhibit 3.

[Majority Exhibit No. 3

was marked for identification.]

[5:50 p.m.]

MR. GOLDMAN: I'm just going to point your attention to the top of page 3. And the President says: "I would like you to do us a favor though, because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine, they say CrowdStrike. I guess you have one of your wealthy people... The server, they say Ukraine has it."

Were you familiar with -- are you familiar with what this relates to?

A Honestly, I was not familiar with the CrowdStrike reference or the server.

Q So perhaps that's our disconnect. So you didn't know what that reference was to when you read this?

A No.

Q And then, if you go ahead to the top of page 4, President Trump says: "The other thing, there's a lot of talk about Biden's son, that Biden stopped the prosecution. A lot of people want to find out about that, so whatever you can do with the Attorney General would be great. Biden went around bragging that he stopped the prosecution, so if you can look into it... It sounds horrible to me."

Is that a request for a specific investigation?

A That appears to be a specific request for investigation.

Q And, in your recollection as to reading this document, does the President mention any of the broader anticorruption efforts that were part of the U.S. official policy?

A Not in my reading of this document.

Q And one last thing. You mentioned the high court for corruption?

A Uh-huh. Not that actual name.

Q Yeah. What is the name, do you recall?

A It was -- we referred to it generally as the Antitrust Court, but I don't actually -- again, that was not my specific area of responsibility. So I remember President Poroshenko had stalled on implementing it, said he never would, then got pushed, and he finally agreed to do it, but he hadn't actually appointed the judges, if I remember correctly. And then Zelensky moved it forward and started implementing it.

Q And how soon after he was elected did President Zelensky do that?

A I don't remember. It may have even happened after I left.

Q But you know that at this point, he has already implemented this court?

A I remember seeing a news article or report that he had moved forward on that.

Q And this is a significant anticorruption effort that was part -- that the U.S. was promoting in Ukraine?

A Yes.

Q And Zelensky made it happen in a way that Poroshenko had not?

A Correct.

Q And are you aware of any other reforms that President

Zelensky has already implemented related to anticorruption?

A Not specifically.

Q Are you aware of whether he removed immunity from parliamentarians --

A Yes.

Q -- so they can now be prosecuted on corruption charges?

A He has done that, correct.

Q So that's another anticorruption reform that President Zelensky has implemented. Is that right?

A Yes.

MR. GOLDMAN: All right, thank you. We are done. We yield to the minority.

MR. CASTOR: Thank you. We are done.

MR. GOLDMAN: Mr. Anderson, thank you very much for coming in. And we're adjourned.

MR. ANDERSON: Thank you. Go Nats.

[Whereupon, at 5:53 p.m., the deposition was concluded.]