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7 PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

8 U.S. HOUSE OF REPRESENTATIVES,

9 WASHINGTON, D.C.

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13 DEPOSITION OF: CATHERINE CROFT

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18 Wednesday, October 30, 2019

19 Washington, D.C.

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22 The deposition in the above matter was held in Room HVC-304,  
23 Capitol Visitor Center, commencing at 9:15 a.m.

24 Present: Representatives Schiff, Himes, Carson, Speier,  
25 Quigley, Swalwell, Heck, Welch, Demings, Krishnamoorthi, Nunes,

1 Wenstrup, Stefanik, and Ratcliffe.

2           Also Present: Perry, Massie, Jordan, Zeldin, Kelly, McCaul,  
3 Bera, Armstrong, Raskin, Malinowski, Cicillini, Espaillat, Keating,  
4 Maloney, Meeks, Stewart, Wasserman Shultz, and Meadows,

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2 Appearances

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5 For the PERMANENT SELECT COMMITTEE ON INTELLIGENCE:

- 6 [REDACTED]
- 7 [REDACTED]
- 8 [REDACTED]
- 9 [REDACTED]
- 10 [REDACTED]
- 11 [REDACTED]
- 12 [REDACTED]
- 13 [REDACTED]
- 14 [REDACTED]
- 15 [REDACTED]
- 16 [REDACTED]
- 17 [REDACTED]
- 18 [REDACTED]
- 19 [REDACTED]
- 20 [REDACTED]
- 21 [REDACTED]
- 22 [REDACTED]
- 23 [REDACTED]

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1 For the COMMITTEE ON OVERSIGHT AND REFORM:

█ [REDACTED]  
█ [REDACTED]  
4 [REDACTED]

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6 For the COMMITTEE ON FOREIGN AFFAIRS:

█ [REDACTED]  
█ [REDACTED]  
█ [REDACTED]  
10 [REDACTED]

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13 For CATHERINE CROFT:

14 MARK J. MACDOUGALL  
15 ABBEY MCNAUGHTON  
16 AKIN GUMP STRAUSS HAUER & FELD LLP  
17 Robert S. Strauss Tower  
18 2001 K Street, NW  
19 Washington, D.C. 20006-1037

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3 THE CHAIRMAN: Let's come to order. Good morning, Ms. Croft,  
4 and welcome the House Permanent Select Committee on Intelligence,  
5 which, along with the Foreign Affairs and Oversight Committees, is  
6 conducting this investigation as part of the official impeachment  
7 inquiry of the House of Representatives. Today's deposition is being  
8 conducted as part of the impeachment inquiry. In light of attempts  
9 by the Department of State and the administration to direct you not  
10 to cooperate with the inquiry, the committee had no choice but to compel  
11 your appearance today.

12 We thank you for complying with the dually authorized  
13 congressional subpoena, as other current and former officials from  
14 across the Federal Government have done.

15 Ms. Croft is a career Foreign Service officer. In relevant  
16 parts, she has served on the U.S. Mission to NATO as Ukraine desk  
17 officer, at the National Security Council as Ukraine director, and most  
18 recently, she currently serves as the special adviser for Ukraine  
19 negotiations. Ms. Croft, thank you for your service.

20 We look forward to your testimony today, including your knowledge  
21 of and involvement in key policy discussions, meetings, and decisions  
22 on Ukraine that relate directly to areas under investigation by the  
23 committees. This includes developments related to the recall of  
24 Ambassador Yovanovitch; the President's July 25, 2019 call with the  
25 Ukrainian President Zelensky; as well as the documentary record that

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1 has come to light about efforts before and after the call to get the  
2 Ukrainians to announce publicly investigations into two areas  
3 President Trump asked President Zelensky to pursue, the Bidens and  
4 Burisma, and the conspiracy theory about Ukraine's purported  
5 interference in the 2016 U.S. elections.

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

11 Finally, to restate what I and others have emphasized in other  
12 interviews, Congress will not tolerate any reprisal, threat of  
13 reprisal, or attempt to retaliate against any U.S. Government official  
14 for testifying before Congress, including you or any of your  
15 colleagues. It is disturbing that the State Department, in  
16 coordination with the White House, has sought to prohibit Department  
17 employees from cooperating with inquiry and with Congress, and have  
18 tried to limit what they can say.

19 This is unacceptable. Thankfully, consummate public servants  
20 like you have demonstrated remarkable courage in coming forward to  
21 testify and tell the truth.

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

24 MR. NUNES: I thank the gentleman. Welcome, Ms. Croft, for being  
25 here. Hopefully, today's an improvement over yesterday, that won't

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1 be any coaching of the witnesses, or sidebars, with the witness'  
2 attorneys, and then interrupting the questions that we have on our side.

3 That's what occurred yesterday, Ms. Croft, and for your counsel.  
4 We don't tend to accept that as a proper way of a functioning interview.  
5 It's not how it should go. We'd appreciate it if the majority would  
6 not interrupt our side. And if this continues, I can tell you that  
7 my colleagues that are not allowed in this room will continue to express  
8 frustration, as we had last week when we -- when this room and the entire  
9 committee is continually being bombarded with unclassified material,  
10 people want to come down here. It's not appropriate to have these  
11 hearings down in the Intelligence Committee. This is not an  
12 Intelligence Committee matter.

13 And in fact, the only piece of the Intelligence Committee matter  
14 that we actually had in jurisdiction we had in this, was the  
15 whistleblower, who only the majority and their staff have met with.  
16 And so, it's quite concerning this inquisition is going on down here.  
17 We don't really want to be part of the cult, but we have no options,  
18 so we are here. So hopefully today, Ms. Croft, you will be able to  
19 answer all of our questions. With that, I will yield the chairman.

20 THE CHAIRMAN: I thank the gentleman for his opening statement.  
21 Mr. Goldman, you are recognized.

22 MR. GOLDMAN: This is a deposition of Catherine Croft,  
23 conducted by the House Permanent Select Committee on Intelligence  
24 pursuant to the impeachment inquiry announced by the Speaker of the  
25 House on September 24, 2019.

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1           Ms. Croft, could you please state your full name and spell your  
2 last name for the record, and if you could just pull the microphone  
3 close to you. It remains on, and you can just speak normally.

4           MS. CROFT: Catherine Croft, the last name, C-r-o-f-t.

5           MR. GOLDMAN: So if I could just ask you to lift the microphone  
6 a little and pull it a little bit closer and then --

7           MS. CROFT: Is that better?

8           MR. GOLDMAN: Yes.

9           MS. CROFT: Okay. Catherine Croft, the last name, C-r-o-f-t.

10          MR. GOLDMAN: Thank you. Along with other proceedings and  
11 furtherance of the inquiry to date, this deposition is part of a joint  
12 investigation lead by the Intelligence Committee, in coordination with  
13 the Committees on Foreign Affairs and Oversight and Reform. In the  
14 room today are majority staff and minority staff from all three  
15 committees and this will be a staff-led deposition. Members, of  
16 course, may ask questions during their allotted time as has been the  
17 case in every deposition since the inception of this investigation.

18          My name is Daniel Goldman, I'm the director of investigations for  
19 the Intelligence Committee's majority staff, and I want to thank you  
20 again for coming in today.

21          Let me do some brief introductions. To my right here is Nicolas  
22 Mitchell, senior investigative counsel for the Intelligence Committee.  
23 Mr. Mitchell and I will be conducting most of the interview for the  
24 majority. And now, I'll let my minority counterparts introduce  
25 themselves.

1 MR. CASTOR: Good morning. Steve Castor, Republican staff of  
2 the Oversight Committee.

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 MR. GOLDMAN: This deposition will be conducted entirely at the  
8 unclassified level. However, the deposition is being conducted in  
9 HPSCI's secure spaces and in the presence of staff with appropriate  
10 security clearances. And we understand that your attorneys also have  
11 their security clearance. It is the committee's expectation that  
12 neither questions asked of you, nor answers provided by you, will  
13 require discussion of any information that is currently, or at any  
14 point, could be properly classified under Executive Order 13526. You  
15 are reminded that EO 13526 states that, quote, "In no case shall  
16 information be classified, continue to be maintained as classified,  
17 or fail to be declassified," unquote, for the purpose of concealing  
18 any violations of law, or preventing embarrassment of any person or  
19 entity.

20 If any of our questions, however, can only be answered with  
21 classified information, please inform us of that fact before you answer  
22 the question, and we can adjust accordingly.

23 Today's deposition is not being taken in executive session, but  
24 because of the sensitive and confidential nature of some of the topics  
25 and materials that will be discussed, access to the transcript of the

1 deposition will be limited to the three committees in attendance.

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

6 Before we begin, I'd like to go over some ground rules. We will  
7 be following the House regulations for depositions, which we have  
8 previously provided to your counsel. The deposition will proceed as  
9 follows: The majority will be given 1 hour to ask questions, then the  
10 minority will be given 1 hour. Thereafter, we will alternate back and  
11 forth between majority and minority in 45-minute rounds until  
12 questioning is complete. We will take periodic breaks, but if you need  
13 a break at any time, please let us know.

14 Under the deposition rules, counsel for other persons or  
15 government agencies may not attend. You are permitted to have an  
16 attorney present during this deposition and I see that you have brought  
17 two. At this time, if counsel could please state their appearance for  
18 the record.

19 MR. MACDOUGALL: Mark MacDougall, Akin, Gump, Strauss, Hauer and  
20 Feld, Washington, D.C.

21 MS. McNAUGHTON: Abbey McNaughton, Akin, Gump, Strauss, Hauer  
22 and Feld, Washington, D.C.

23 MR. GOLDMAN: There is a stenographer taking down everything that  
24 is said here today in order to make a written record of the deposition.  
25 For that record to be clear, please wait until each question is

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1 completed before you begin your answer, and we will wait until you  
2 finish your response before asking the next question.

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

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

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

15 Finally, you are reminded it is unlawful to deliberately provide  
16 false information to Members of Congress or staff. It is imperative  
17 that you not only answers our questions truthfully, but that you give  
18 full and complete answers to all questions asked of you. Omissions  
19 may be also considered as false statements.

20 Now as this deposition is under oath, Ms. Croft, will you please  
21 stand and raise your right-hand to be sworn.

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

24 MS. CROFT: I do.

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

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1 SWORN.

2 Now, Ms. Croft, if you have an opening statement or your attorney  
3 has any matters to discuss, now is the time.

4 MR. MACDOUGALL: Mr. Chairman, thank you so much. Before Ms.  
5 Croft begins her testimony, I would like to make a brief statement for  
6 the record. Catherine Croft is a career Foreign Service officer  
7 currently working as special adviser for Ukraine negotiations. On  
8 October 28th, 2019, Ms. Croft received a letter through her lawyers  
9 from Under Secretary of State Brian Bulatao, in which we were instructed  
10 that Ms. Croft cannot participate in the impeachment inquiry being  
11 conducted by the House of Representatives and these committees.

12 Under Secretary Bulatao's letter stated that these instructions  
13 were issued pursuant to a directive from the Office of White House  
14 Counsel. Nonetheless, Ms. Croft has been served with a valid subpoena,  
15 and so she is obliged to be here today.

16 While Ms. Croft is prepared to respond to all of the committee's  
17 questions to the best of her ability, I need to address one  
18 consideration at the outset. A great deal of attention has been  
19 directed to the information submitted to the Office of the Inspector  
20 General of the Intelligence Committee by an unnamed government employee  
21 pursuant to the Intelligence Community Whistleblower Protection Act.  
22 Ms. Croft is not the whistleblower.

23 As the committee's well aware, the governing statute permits  
24 whistleblowers to preserve their anonymity. We believe that Ms. Croft  
25 is obligated to respect in her testimony today the legal standards and

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1 equities that protect whistleblower anonymity in the Intelligence  
2 Community. So the extent we reasonably conclude that any questions  
3 directed to Ms. Croft this morning are intended to assist anyone in  
4 establishing the identity of the whistleblower, we will make the  
5 necessary objections and give the witness appropriate instructions.  
6 With that, Ms. Croft has a brief opening statement.

7 THE CHAIRMAN: If I could, Counsel, before the opening statement.  
8 None of the members of this committee or staff should ethically seek  
9 to out the whistleblower through this witness' testimony. We will not  
10 countenance any effort to do so. And if you or your client believe  
11 questions are directed in that manner, you should object. We will  
12 certainly not the require the witness to answer questions that would  
13 violate the whistleblower's right of anonymity.

14 MR. MACDOUGALL: Thank you, Mr. Chairman.

15 MS. CROFT: Thank you for the opportunity to provide my statement  
16 today. For the last 9 years it has been my honor to serve my country  
17 as a Foreign Service officer. In that capacity, it has been a privilege  
18 to serve along colleagues of intelligence, integrity, and  
19 determination to advance U.S. interests, some of whom have already  
20 spoken to this committee. I'm not sure that I have anything to add  
21 to the testimony of those who came before me, but I will answer your  
22 questions to the best of ability.

23 My work on Ukraine started in 2013 when I was posted to the U.S.  
24 mission to NATO. My portfolio included Ukraine -- NATO-Ukraine  
25 relations when the citizens of Ukraine took to the streets to demand

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1 a European future and an end to corruption. When Russian tanks rolled  
2 into Crimea, I was assigned to NATO headquarters in Brussels. At that  
3 time, we did not know where the tanks would stop. Russia's aggression  
4 in Ukraine posed, and continues to pose, a real and immediate threat  
5 to our national interests and a Europe free, whole and at peace.

6 My firm belief in the importance of Ukraine's future to U.S.  
7 national interests led me to the Ukraine desk. From August 2015 to  
8 July 2017, I was one of several Ukraine desk officers at the State  
9 Department headquarters. In my portfolio, I focused on security  
10 assistance, arm sales, and defense reform. But like all desk officers,  
11 my work also included supporting efforts to combat corruption in  
12 Ukraine, and holding leader accountable for lack of high level  
13 prosecutions.

14 In July 2017, as the Trump administration was considering  
15 overturning the ban on providing Ukraine defensive weapons I was asked  
16 to join the National Security Council staff at the White House. As  
17 the director covering Ukraine, I staffed the President's December 2017  
18 decision to provide Ukraine with Javelin anti-tank missile systems.  
19 I also staffed to September 2017 meeting with then-President Poroshenko  
20 on the margins of the U.N. General Assembly. Throughout both, I heard,  
21 directly and indirectly, President Trump describe Ukraine as a corrupt  
22 country.

23 During my time at the NSC, I received multiple calls from lobbyist  
24 Robert Livingston who told me that Ambassador Yovanovitch should be  
25 fired. He characterized Ambassador Yovanovitch as a, quote, "Obama

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1 holdover," end quote, and associated with George Soros. It was not  
2 clear to me at the time, or now, at whose direction or at whose expense  
3 Mr. Livingston was seeking the removal of Ambassador Yovanovitch.

4 I documented these calls and told my boss, Fiona Hill, and George  
5 Kent, who was in Kyiv at the time, I am not aware of any action that  
6 was taken in response. I left the NSC in July 2018, and started  
7 studying Arabic at the Foreign Service Institute in preparation for  
8 a tour in Baghdad. That plan was cut short in May 2019 when I was asked  
9 to take over as Ambassador Volker's adviser. I spent the month of June  
10 embedded in our embassy in Kyiv to prepare, and then spent the week  
11 of July 8th overlapping with my predecessor, Christopher Anderson.  
12 That week was the first time I became aware that are Ambassador Volker  
13 was in touch with Rudolph Giuliani. However, Ambassador Volker's  
14 conversations with Giuliani were separate from my work and I was  
15 generally unaware of when they spoke or what they spoke about. I have  
16 never had any contact with Rudolph Giuliani.

17 On July 18 I participated in a sub PCC video conference where an  
18 OMB representative reported that the White House chief of staff, Mick  
19 Mulvaney, had placed an informal hold on security assistance to  
20 Ukraine. The only reason given was that the order came at the direction  
21 of the President. I had heard about the hold before that date, but  
22 I do not remember the specific date. During the July 25 phone call  
23 between President Trump and President Zelensky, I was traveling with  
24 Ambassador Volker in Kyiv. I did not listen in on the call. I  
25 accompanied Ambassador Volker in meetings with Ukraine officials, and

1 to the line of contact between Ukrainian armed forces and Russian-led  
2 forces in eastern Ukraine.

3 The only readout I got of the July 25 call was based on what  
4 President Zelensky told Ambassadors Volker, Taylor, and Sondland about  
5 the call at a meeting on July 26th. The focus of the call, as I  
6 understood it, was to schedule a face-to-face meeting between President  
7 Trump and President Zelensky. We hope that such a meeting would help  
8 undue President Trump's long-held view of Ukraine as a corrupt country.

9 Since July, my sole focus has been supporting efforts to resolve  
10 the conflict in eastern Ukraine. Zelensky's election and his mandate  
11 to tackle corruption ignited a new energy and to stall talks. Right  
12 now, even as Ukrainians face casualties nearly every day in defense  
13 of their own territory against Russian aggression, decide they are  
14 making progress in disengaging at key crossing points.

15 Zelensky has shown a willingness to take political risk to bring  
16 Russia back to the table. His best chance at success is with our  
17 support, along with our European partners. It is my hope that even  
18 as this committee's process plays out, we do not lose sight of what  
19 is happening in Ukraine, and its great promise as a prosperous and  
20 democratic member of the European Community.

21 Thank you for the opportunity to speak, and I welcome your  
22 questions.

23 THE CHAIRMAN: Mr. Goldman is recognized for 1 hour.

24 EXAMINATION

25 BY MR. GOLDMAN:

1 Q Thank you, Mr. Chairman. Ms. Croft, welcome again. So just  
2 so we're clear about your background, you were at the -- on the Ukraine  
3 desk at the State Department in D.C. here from 2015 to July 2017. Is  
4 that right?

5 A That's correct.

6 Q So if you want to just pull the microphone toward you and  
7 leave it on, then you can just and it will be easier.

8 THE CHAIRMAN: It will be pointed right at your mouth, it will  
9 be picked up.

10 MR. GOLDMAN: It is for the folks in the back.

11 BY MR. GOLDMAN:

12 Q And then July 2017 to July 2018 you were the Ukraine director  
13 at the National Security Council?

14 A That's correct.

15 Q From July 2018 until May 2019, what, if anything, did you  
16 have to do with Ukraine?

17 A Nothing in any official capacity.

18 Q Did you still maintain an interest and keep up to date on  
19 what was going on?

20 A Yes.

21 Q How come?

22 A I had been working on Ukraine for several years. I was  
23 interested as a foreign policy professional, and I remained friends  
24 with those who work in the field.

25 Q And who did you speak to in order to keep up to date on what

1 was happening with Ukraine?

2 A I followed closely on Twitter, which is a pretty good source  
3 of information. And I remained in contact with my predecessor, Chris  
4 Anderson. I remained in contact with friends that were serving on the  
5 Ukraine desk at the State Department; and I remained in touch with my  
6 colleagues at the Ukrainian embassy, my Ukrainian colleagues.

7 Q You said in your opening statement -- let me ask you this:  
8 How aware were you in real time of the issues that arose in March and  
9 April of this year with Ambassador Yovanovitch?

10 A To the extent those events were reported in the media, I was  
11 tracking that.

12 Q Did you speak to anybody at the State Department about what  
13 was going on?

14 A Not that I recall.

15 Q Did you speak to Ambassador Yovanovitch?

16 A I sent her one email just telling her I was sorry for what  
17 was happening.

18 Q And you said in your opening statement that when you were  
19 at the NSC, you received some messages that were critical of Ambassador  
20 Yovanovitch. Is that right?

21 A That's correct.

22 Q From Bob Livingston. Is that right?

23 A That's correct.

24 Q And who is Bob Livingston?

25 A I had never met Bob Livingston, I understood him to being

1 a lobbyist.

2 Q Prior to being a lobbyist, do you know what he did?

3 A By virtue of googling, I did, yes.

4 Q And what was that?

5 A That he had served in Congress.

6 Q And do you recall when he first contacted you?

7 A Not specifically, no.

8 Q And how many times did you hear from him?

9 A I can say with certainty at least twice, but I believe more  
10 times than that.

11 Q What exactly do you recall him saying to you?

12 A As I reported in my opening statement, I recall him saying  
13 that she had to go, she should be fired, that she was an Obama holdover,  
14 and made mention of her somehow being connected with George Soros.

15 Q Other than being an Obama holdover, or an alleged connection  
16 do George Soros, did he -- did he mention anything about her  
17 performance, or any positions that she had taken?

18 A I don't specifically recall.

19 Q Anything else you can remember about what he had said to you?

20 A Not without looking at the notes that I took  
21 contemporaneously but no longer have access to.

22 Q And what did you do after he -- after you spoke to him?

23 A I reported the conversations both to my then-boss Fiona Hill,  
24 and then to George Kent who was then deputy chief of mission at our  
25 embassy in Kyiv.

1 Q What was their reaction?

2 A They were, I think, dismayed at the maligning of her  
3 character, but no direct action was taken that I was aware of.

4 Q You had -- you knew Ambassador Yovanovitch from your work  
5 on the Ukraine desk?

6 A Yes.

7 Q And at the NSC?

8 A That's correct.

9 Q And what was your assessment of her competence and  
10 capabilities as a diplomat?

11 A I assessed her to be an extraordinarily competent and  
12 skillful diplomat, and a pleasure to work for and with.

13 Q What did you understand the allegations about  
14 George -- related to George Soros to be?

15 A At the time, conspiracy theories were floating in the media  
16 about George Soros, including allegations that Fiona Hill was  
17 affiliated, in some fashion, with George Soros. So I understood this  
18 to be part of a broader narrative used to malign public officials that  
19 somebody of some interest disagreed with.

20 Q And you indicated the conspiracy theory. Did you understand  
21 that there was any validity to any of the concerns that Mr. Livingston  
22 raised?

23 A Not that I was aware of, no.

24 Q Did you receive any other complaints about Ambassador  
25 Yovanovitch while you were at the National Security Council?

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1           A    Not that I can specifically recall without reviewing my notes  
2    from the time.

3           Q    Do you know if there were any other complaints made by anyone  
4    else or to anyone else? Did you hear anything about that?

5           A    Not that I can specifically recall right now.

6           Q    Were you aware of a letter written by Representative Pete  
7    Sessions in the middle of 2018?

8           A    I don't have a recollection of that letter right now.

9           Q    Why are you smiling?

10          A    Because I simply don't remember it. It seems like I should,  
11    but I don't.

12          Q    Okay. So, you said that you were following the issues  
13    related to Ambassador Yovanovitch earlier this year from the media?

14          A    That's correct.

15          Q    And based on your knowledge and expertise about Ukraine and  
16    your working relationship with Ambassador Yovanovitch, were you aware  
17    of any factual basis for any of the allegations that were made against  
18    her?

19          A    No.

20          Q    Now, you said in your opening statement that you were -- that  
21    you staffed President Trump's meeting with President Poroshenko in  
22    September 2017. Was that right?

23          A    That's correct.

24          Q    And you said that President Trump had concerns that Ukraine  
25    was a corrupt country at the time?

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1 A Yes.

2 Q Can you explain a little bit more about what his concerns  
3 were?

4 A The President, at the time, didn't elaborate what his own  
5 concerns were. He just simply described Ukraine as corrupt.

6 Q And based on your experience working Ukraine issues, did you  
7 also believe that in the past, Ukraine had been -- had suffered from  
8 serious corruption?

9 A Yes. I think it was well-known that there was a lot of  
10 corruption among senior leadership in Kyiv.

11 Q In fact, U.S. official policy towards Ukraine has been -- one  
12 significant aspect of U.S. official policy related to Ukraine has been  
13 to stamp out corruption. Is that right?

14 A That's correct.

15 Q You said you were also involved in the decision to provide  
16 Javelins to Ukraine at the end of 2017. Is that right?

17 A Yes.

18 Q And that was a significant endeavor to provide lethal  
19 defensive assistance to Ukraine in their war to fend off its aggression  
20 from Russia. Is that right?

21 A Yes, that was a very significant policy change.

22 Q When was the -- when were the Javelins ultimately approved  
23 to be provided to Ukraine. Do you recall with any specificity?

24 A That was in December of 2017.

25 Q And at that time, when were they supposed to be delivered?

1           A    The decision did not include a specific delivery date  
2   that -- because that requires planning and, you know, moving equipment  
3   around and things like that.  So until we had the decision, we weren't  
4   able to physically move the equipment or anticipate a deployment date.

5           Q    Soon after the decision was made, was there a plan put in  
6   place about the timing of the delivery?

7           A    Yes.

8           Q    And do you recall the first target date?

9           A    I don't recall.

10          Q    Do you recall if there were ever any delays related to  
11   providing the Javelins to Ukraine?

12          A    From the date of the President's decision to the delivery,  
13   no I'm not aware of any delays.

14          Q    Are you aware of -- so when, ultimately, were the Javelins  
15   provided?  Do you recall?

16          A    I don't recall the specific date, no.

17          Q    If -- would it -- if I told you there's been some reporting  
18   that it was towards the end of March of 2018, would that sound correct  
19   to you?

20          A    That sounds -- that sounds reasonable, yeah.

21          Q    Were you also aware, at that time as Ukraine director, that  
22   Ukraine somewhat suddenly ceased to cooperate with the Special  
23   Counsel's investigation?

24          A    I'm sorry.

25          Q    Special Counsel Robert Mueller?

1 A Can you repeat the question?

2 Q Around that same time, March, April, 2018, there was  
3 reporting that Ukraine stopped -- announced that they were going to  
4 stop cooperating with Special Counsel Robert Mueller's investigation.  
5 Were you aware of that?

6 A No.

7 Q You were on the National Security Council as Ukraine director  
8 at that time?

9 A Yes. I don't have any specific memory of any conversations  
10 with Ukrainians about the Mueller investigation, or participation or  
11 cooperation.

12 Q Did you read it in the press?

13 A I imagine I would have at the time.

14 Q You just don't remember it sitting here today?

15 A I do not.

16 Q Understood.

17 Let's move ahead to 2019, we'll go back. So the one other  
18 question I had on Ambassador Yovanovitch: When did you hear that she  
19 was going to be recalled from Kyiv?

20 A I would have read it in the news along with everybody else.

21 Q Did you have any conversations with George Kent or anyone  
22 else at the State Department about the allegations against Ambassador  
23 Yovanovitch?

24 A Other than what was in my opening statement, no.

25 Q And so you only followed it from the media?

1 A That's correct. As far as I recall, yeah.

2 Q When were you asked to become the special assistant for  
3 Ukraine negotiations?

4 A In May of this year.

5 Q Who asked you?

6 A Christopher Anderson.

7 Q And what was his role at the time?

8 A He was special adviser to Ambassador Volker.

9 Q So he asked you to replace him?

10 A That's correct.

11 Q And -- just one second.

12 [Discussion off the record.]

13 BY MR. GOLDMAN:

14 Q What did Mr. Anderson say to you?

15 A He asked me if I wanted his job.

16 Q And did you agree immediately?

17 A No.

18 Q What was your -- what was your process before you ultimately  
19 agreed?

20 A I said, no, in more or less that tone of voice. And then  
21 thought about it for a little while and said, maybe I will think about  
22 it. And so we spoke again a couple of times, I think, in the following  
23 week or two.

24 Q And when did you ultimately agree to take the job?

25 A I don't remember the specific date, but it was roughly early

1 to mid-May.

2 Q And when did you officially come on board?

3 A I think you could measure it by when I traveled to Kyiv, which  
4 I believe was May 29th, but there I was embedded in the political section  
5 for a month, and then officially started here in Washington on July  
6 8.

7 Q So you were in Kyiv from May 29th until when?

8 A July 1, I believe.

9 Q One thing I just want to go back to before I move ahead to  
10 your time in Kyiv, the Javelins -- the provision of the Javelins in  
11 20 -- late 2017, early 2018, do you recall whether there was ever a  
12 hold or a freeze put on the Javelin provision?

13 A There was a PCC process, and there was one hold -- sorry,  
14 at the PC level, excuse me, the principals committee, and there was  
15 one agency that put a hold on that decision.

16 Q And which was that agency?

17 A OMB.

18 Q Did you understand why?

19 A I understood the reason to be a policy one.

20 Q What was the policy one?

21 A In a briefing with Mr. Mulvaney, the question centered around  
22 the Russian reaction.

23 Q What was the concern about the Russian reaction?

24 A That Russia would react negatively to the provision of  
25 Javelins to Ukraine.

1 Q What was the reaction to that concern from the other  
2 agencies?

3 A I don't know that I can provide that information in an  
4 unclassified setting.

5 Q Okay. Is there any way to provide broadly?

6 A I can broadly say that all of the policy agencies were in  
7 support.

8 Q And you mean in support of providing the Javelins?

9 A Correct.

10 Q So how long was this hold placed?

11 A I don't recall specifically, perhaps a week or two.

12 Q And just to be clear, this policy went all the way up the  
13 chain from sub PCC, to PCC, to DC, to principals committee. Is that  
14 correct?

15 A That's correct.

16 Q And at all of the prior levels, so to speak, was there  
17 any -- was there any concern expressed about this policy change?

18 A I think to go into specific details about what was discussed  
19 at those meetings I would need to be in a classified setting.

20 Q I was just asking was there any concern expressed by anybody  
21 that --

22 A All of the agencies were in agreement.

23 Q Okay. Including OMB up until the principals committee?

24 A I don't recall OMB expressing a policy objection at those  
25 levels.

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1 Q Just so we understand, what role does OMB have in making  
2 foreign -- official foreign policy?

3 A I think, typically, its role is usually limited to the budget  
4 side of things. So it was rather unusual to have OMB expressing  
5 concerns that were purely policy-based and not budget-oriented.

6 Q And your experience, either on the Ukraine desk at the State  
7 Department or at the National Security Council, were you aware of OMB,  
8 in any other circumstance, expressing policy reservations?

9 A At the beginning of the Ukrainian Javelin process, I had been  
10 told that OMB was taking a policy interest. And OMB began sending  
11 working level officials to attend meetings, even at the sub PCC level,  
12 which was very unusual at the time. And they weren't just attending  
13 Ukraine-related meetings, they were coming to all of our meetings,  
14 which, as an aside, is quite taxing on a very small organization.

15 Q Small organization being the National Security Council?

16 A No, on OMB to staff that number of meetings.

17 Q Got it. Got it. So they -- OMB took an interest in  
18 countries other than Ukraine policy as well?

19 A Yes.

20 Q How -- you said that the hold was a week or two. How -- what  
21 was the process for the hold to be lifted? What did you understand  
22 the reasoning to be?

23 A I was asked, along with my colleague, Richard Hooker to go  
24 brief Mick Mulvaney on the decision. We did so, and then within a day  
25 or two, the hold was lifted.

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1 Q And can you, without getting into classified material, can  
2 you explain what your broad message was to Mr. Mulvaney?

3 A Broadly, the message was that the policy process had worked,  
4 that the potential issues on all fronts had been thoroughly discussed  
5 and sussed out, and that had the agencies were in agreement about the  
6 policy moving forward -- or about their recommendation to the  
7 President.

8 Q Did you address the concerns that he had expressed about  
9 Russia's reaction to this policy change?

10 A Yes.

11 Q What did you say?

12 A I think that's the part that I can't refer to here.

13 Q Who directed you to go brief Mr. Mulvaney?

14 A I believe it was a staffer at OMB that said that Mr. Mulvaney  
15 wanted to be briefed.

16 Q And do you -- if the decision was made at the end of December  
17 to provide the Javelins. Did that decision go through the whole PCC  
18 process?

19 A I'm sorry, the Javelin decision?

20 Q Yes.

21 A Yes. Sub PCC, PCC, DC, PC.

22 Q So at that point, the decision at the end of the December  
23 had already been through this process?

24 A That's correct.

25 Q So what was the process that Mr. Mulvaney intervened in if

1 it had already approved?

2 A At the PC level, he objected.

3 Q So he objected in December? I'm asking if he objected to  
4 the initial decision, or did he object to the release or provision of  
5 the Javelins?

6 A I see. I understand the question now. He objected in the  
7 PC, it was a paper PC, but he objected in the PC.

8 Q The original one about the decision ultimately in December?

9 A Before the decision in December, in the tee-up to that  
10 decision.

11 Q So that had nothing to do with the timing of the actual  
12 provision of the Javelins to Ukraine?

13 A It held up the overall decision-making timeline.

14 Q Understood. Okay.

15 Now in -- did Rob Blair have a role in this process with Mr.  
16 Mulvaney?

17 A I understood him to be playing some sort of policy role in  
18 briefing Mr. Mulvaney.

19 Q What was that role that you understood?

20 A I don't know specifically.

21 Q Did you ever have any conversation with Mr. Blair about this?

22 A I did not, no.

23 Q Do you know whether the President weighed in, in any respect,  
24 on this decision?

25 A The decision was made by the President.

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1 Q I understand. But do you know whether the President -- let  
2 me ask you it a different way. Do you know whether the  
3 President -- whether Mr. Mulvaney was relaying the President's concerns  
4 when he put the hold on for fear of the impact on Russia?

5 A I don't know if the President and Mr. Mulvaney spoke on this.

6 Q Okay.

7 A I don't have any independent knowledge.

8 Q In your meeting with Mr. Mulvaney, did he reference the  
9 President's views at all?

10 A Not that I recall, but the President's views were pretty  
11 well-known.

12 Q And what were they?

13 A The President was skeptical of providing weapons to Ukraine.

14 Q Why?

15 A When this was discussed, including in front of the Ukrainian  
16 delegation, in front of President Poroshenko, he described his concerns  
17 being that Ukraine was corrupt, that it was capable of being a very  
18 rich country, and that the United States shouldn't pay for it, but  
19 instead, we should be providing aid through loans.

20 Q Okay. And so how did that relate to the provision of  
21 Javelins?

22 A I'm sorry. What do you mean?

23 Q You said the President's views on Ukraine were very  
24 well-known. And I'm trying to understand how the views that you just  
25 expressed, might impact the ultimate decision to provide Javelins to

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1 the Ukraine?

2 A So those views were expressed directly to President  
3 Poroshenko in response to his desire for Javelins.

4 Q Ah, okay. And were the Javelins, at that time, that were  
5 being provided, a -- what -- a gift, or were they being sold to Ukraine?

6 A They were being provided using grant assistance through  
7 foreign military financing.

8 Q So just so we understand, ultimately it was U.S. financial  
9 support to Ukraine that Ukraine used to purchase the Javelins?

10 A Yes.

11 Q So you indicated the President's views that Ukraine should  
12 pay for their own -- pay their own way, effectively, in reaction to  
13 President Poroshenko's request for lethal military assistance? Is  
14 that an accurate summary?

15 A That's how I understood the President's comments, yes.

16 Q After that meeting with President Poroshenko, did you have  
17 any occasion to learn the President's views more specifically  
18 on -- during the policy process to provide the Javelins?

19 A Inasmuch as I was tasked, and retasked, and retasked, and  
20 retasked by General McMaster to write paper to help him make the case  
21 to the President, I started to get a sense of what the President's  
22 concerns were.

23 Q And what were those concerns?

24 A That Ukraine is corrupt, and that Europe should be stepping  
25 up to do more to provide security assistance to Ukraine.

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1 Q Did you have an understanding at that time as to how much  
2 security assistance Europe was providing to Ukraine?

3 A Yes.

4 Q And I mean, taking all the European -- EU countries together,  
5 how did it compare to how much security assistance the United States  
6 was providing?

7 A The -- our European partners in general their security  
8 assistance is significantly less than U.S. security assistance. We  
9 are, by far, the lead.

10 Q That's on an individual country basis, or all told?

11 A Even all told.

12 Q Because there's been reporting that all told -- does that  
13 change over time, I guess, is the question since 2017 to the present?

14 A So our Ukrainian partners do provide security assistance,  
15 and they do partner with us in training the Ukraine armed forces, and  
16 they do provide separately some equipment and other financial  
17 assistance. But the quantities are significantly less than what the  
18 United States provides. One of the cases that we were attempting to  
19 make at the time was that even though we lead on security assistance,  
20 our European partners lead on providing overall economic assistance,  
21 which, I think, it's fairly easy to make the case that in these Ukrainian  
22 circumstances in 2015, 16, 17, economic security and national security  
23 were closely tied.

24 Q Okay. So just so we're clear, the European countries led  
25 on what you were calling economic assistance, and the United States

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1 led on what you're calling security assistance?

2 A I think that's correct, yes.

3 Q And how -- can you explain the difference between the two?

4 A So World Bank, IMF, EBRD, EU generally, then bilaterally,  
5 several of our European partners -- also credit to Japan -- were  
6 providing economic -- loan guarantees and other forms of sort of  
7 economic aid to help stabilize the country, immediately following  
8 Russia's invasion in 2015.

9 Q Would you say both are important to Ukraine's viability as  
10 a democracy?

11 A Absolutely. I think without that, that assistance, Ukraine  
12 wouldn't be in the relatively stable position that it is in now.

13 Q And would you say that the security assistance -- how should  
14 I say this -- is more specifically appropriated than economic  
15 assistance? In other words, does security assistance, is it tied more  
16 directly to particular aspects of support than the economic assistance  
17 would be?

18 A Yes. I think bipartisan support for Ukraine in Congress has  
19 meant tremendous support, specifically on security assistance, and  
20 that has meant some specific conditionality, including on defense  
21 reform and provision of defensive weapons, and/or counter artillery  
22 radar is part of the overall legislative package.

23 Q As part of that legislative package, in order to provide the  
24 security assistance, there are a number of conditions that Ukraine must  
25 meet. Is that right?

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1           A    That's right.

2           Q    And you -- I think you described a couple of them, but could  
3 you just list the ones that you're aware of?

4           A    I think the key one is with regard to the Ukraine Security  
5 Assistance Initiative or USAI, which is the DOD pot of money, which  
6 is specifically tied to DOD making a certification that Ukraine has  
7 made adequate progress in defense reform. And then, sort of,  
8 implementation of that legislation, the State Department and DOD have  
9 worked together to, sort of, set standards for what it is we expect  
10 Ukraine to do to reform its defense sector.

11          Q    And does that also include anticorruption efforts?

12          A    Yes.

13          Q    But economic assistance that Europe is the lead on, does it  
14 have the same -- are you aware of whether Europe insists on some of  
15 the same conditionality?

16          A    The conditionality for economic assistance tends to be set  
17 sort of which IMF in the lead and then with other economic or  
18 international financial institutions an countries like the United  
19 States sort of falling behind on the IMF's lead on what conditionality  
20 would look like.

21          Q    Okay. So just to close the loop on this, Mr. Mulvaney's  
22 concerns about the impact on Russia, do you know whether the -- did  
23 you hear after your meeting with Mr. Mulvaney, whether he had a  
24 conversation with the President about this issue before the decision  
25 was made?

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1 A I'm sorry, before the Javelin decision in 2017?

2 Q Yes.

3 A No, I'm not aware of any conversations directly between the  
4 two of them that I recall being told about.

5 Q And it was General McMaster's strong view that the U.S.  
6 should provide the Javelins to Ukraine. Is that correct?

7 A Yes, also General Mattis at the time.

8 Q General Mattis. What about Secretary of State Tillerson?

9 A He also agreed.

10 Q So all the principals of the interagency agreed. Is that  
11 correct?

12 A Yes.

13 Q And to your knowledge, it was a pretty -- other than OMB's  
14 unusual intervention, it was broadly supported by the policymakers?

15 A Yes -- sorry, I need to revise. Yes, everybody agreed  
16 except for OMB.

17 Q All right. And could you just explain why -- I'm sorry, Mr.  
18 Chairman.

19 THE CHAIRMAN: Before counsel goes on to a different subject, I  
20 want to ask a few follow-up questions. You mentioned that -- at one  
21 point that you had taken notes contemporaneously with events. Is that  
22 a pattern of yours, or a practice of yours?

23 MS. CROFT: I try to.

24 THE CHAIRMAN: And did you receive a request from the State  
25 Department for all of notes and documents and records related to the

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1 investigation?

2 MS. CROFT: Yes.

3 THE CHAIRMAN: So the notes that you would have taken relevant  
4 to Ukraine during the course of your time working on this, would those  
5 have been provided to the State Department?

6 MS. CROFT: Yes, those have all been provided.

7 THE CHAIRMAN: My colleague asked you about concerns that were  
8 raised by Mulvaney. If I understand correctly, Mr. Mulvaney didn't  
9 raise these concerns in person, they were raised on paper. Is that  
10 right?

11 MS. CROFT: Yes, in an objection on -- in -- during the course  
12 of a paper PC.

13 THE CHAIRMAN: So during the course of the paper PC, Mr. Mulvaney  
14 objected in writing to the provision of the Javelins at that point?

15 MS. CROFT: Yes.

16 THE CHAIRMAN: And are you able to tell us in an unclassified  
17 forum the nature of his objection?

18 MS. CROFT: I can say that it was a policy based objection. And  
19 then as I said before, when we spoke to him, Robert Hooker and I, he  
20 asked about the Russian reaction.

21 THE CHAIRMAN: When you say he asked -- he asked in person or he  
22 asked in writing?

23 MS. CROFT: He blocked -- he blocked the decision at the PC level  
24 in writing, and then subsequently we briefed him in person, and that  
25 was the conversation where he -- where he asked questions about the

1 Russian reaction.

2 THE CHAIRMAN: And as best you can remember, when did the OMB  
3 first put its hold on the provision of the Javelins? And when was the  
4 decision made to release the hold?

5 MS. CROFT: I don't recall the very specific dates without access  
6 to my files from that time, which I don't have access to.

7 THE CHAIRMAN: That would be documented in the records you  
8 provided to the State Department?

9 MS. CROFT: No. Those would be records from my time at the  
10 National Security Council, which would be -- which are in the National  
11 Archives.

12 THE CHAIRMAN: Okay. Well, given that we don't have those with  
13 us today, let's ask for the best of your recollection. About when was  
14 the hold put in place? About how long elapsed before the decision was  
15 made to release the Javelin?

16 MS. CROFT: My best guess, without access to my notes, is I  
17 believe that that would have probably been in November or early  
18 December, when, I think, back to when the President made his decision.  
19 In the time that it took to facilitate the President's decision, I don't  
20 recall specifically when the paper PC went out, what those dates were.

21 THE CHAIRMAN: So you're talking about November, December, 2017?

22 MS. CROFT: That's correct.

23 THE CHAIRMAN: And can you give us sort of your best estimate of  
24 the range of how long the hold would have been put in place, how many  
25 weeks?

1 MS. CROFT: My recollection is about 2 weeks, but like I said,  
2 without my notes, it's hard to refresh my memory.

3 THE CHAIRMAN: And what was going on with respect to Ukraine  
4 during those 2 weeks, in terms of what you were following in press  
5 accounts? Do you remember?

6 MS. CROFT: I don't. I was very focused on the Javelin decision.  
7 I don't have a specific memory of what was happening in the press at  
8 the time.

9 THE CHAIRMAN: During the period, either before the hold, during  
10 the hold, or after the hold, were you aware of any discussions going  
11 on about Ukraine's participation or nonparticipation in assisting the  
12 Mueller investigation?

13 MS. CROFT: Nothing that I was doing in my work at the National  
14 Security Council in any way related to what was happening in the Mueller  
15 investigation.

16 THE CHAIRMAN: No, I understand that. But we're obviously  
17 looking at allegations concerning the hold-up of military assistance  
18 in 2019. We're looking at a call record in which the President of  
19 Ukraine asks -- says he's almost ready to get more Javelins. And we  
20 know during this period there is a hold put on military assistance.  
21 And as I'm sure you're aware from public accounts, there are questions  
22 about why that hold was placed, and testimony that was related to  
23 political demands by the President.

24 So what I'm asking you is, did it come to your attention in any  
25 way, shape, or form, through conversation, open reporting or otherwise,

1 that there may have been factors behind the first hold on the Javelins,  
2 the 2017 hold on the Javelins, that were not related to policy, that  
3 may have been related to investigations that the President wanted the  
4 Ukraine to do, or work that the President wanted Ukraine to refrain  
5 from doing in connection with the Mueller investigation?

6 MS. CROFT: I was not aware of any connection between those two  
7 things, and don't recall having any conversations with anybody about  
8 the Mueller investigation at that time. I would say that OMB's  
9 decision to hold on the Javelin decision at the PC level, given OMB's  
10 signaled interest in engaging in a policy basis came as a surprise,  
11 but had -- was preceded by OMB engagement on the issue.

12 And in fact, I had, throughout from the beginning of my time at  
13 the NSC, engaged OMB regularly to inform them about we were doing on  
14 the Javelins in order to try to over -- overcome any policy concerns  
15 that I could through the work of the interagency. So, in my mind,  
16 because I hadn't heard any connection between what was happening in  
17 terms of the Mueller investigation and security assistance, I had not  
18 made that connection, and nobody had made that connection to me.

19 THE CHAIRMAN: I'm jumping forward a bit here, but in 2019, you  
20 were not a part of the conversations about specific investigations,  
21 the President had sought in connection with White House meeting or  
22 military assistance, that you were largely not in the loop on that?

23 MS. CROFT: I was largely not in the loop on that.

24 THE CHAIRMAN: Jumping back to 2017 again, the policy rationale  
25 that you have articulated in terms of not wanting to anger the Russians

1 by providing Javelins to Ukraine, there was a strong policy consensus  
2 to do it, OMB objected to it. Did any of the OMB objections that were  
3 raised with you differ from the concern about angering or upsetting  
4 the Russians?

5 MS. CROFT: Not that I recall.

6 THE CHAIRMAN: Mr. Goldman.

7 BY MR. GOLDMAN:

8 Q Moving back to 2019, I just want to --

9 [Discussion off the record.]

1 [10:15 a.m.]

2 BY MR. GOLDMAN:

3 Q You said that you initially told Mr. Anderson no and you had  
4 reservations. What were your reservations?

5 A I'd already done a lot of work on Ukraine. I was looking  
6 forward to my assignment in Baghdad, and I think the nature of  
7 corruption in Ukraine always made it a tricky country to work on.

8 Q By May, and you were -- were you aware of -- withdrawn.

9 You have already testified about you were following the press  
10 accounts related to the false allegations against Ambassador  
11 Yovanovitch, right?

12 A Yes.

13 Q Were you also aware of other narratives in the media related  
14 to some of these other investigations that are the subject of this  
15 inquiry?

16 A I was following the John Solomon reporting in The Hill with  
17 concern and interest.

18 Q And what do you recall about the John Solomon reporting,  
19 separate and apart from anything in connection with Ambassador  
20 Yovanovitch?

21 A He appeared to be building a case based on sourcing through  
22 then-Prosecutor General Lutsenko, and a former employee of the  
23 Ukrainian Embassy in the United States, at the time, I think, very  
24 focused on those two, that there was some connection between Ukraine  
25 and interference in the 2016 elections, and the then-Ukrainian

1 administration having a preference for the outcome of the 2016  
2 election.

3 Q And were you aware of any factual basis to support those  
4 allegations, based on your time focused on Ukraine around 2016?

5 A I was aware that Paul Manafort was associated with the  
6 Yanukovych regime, which, of course, had been ousted and then-President  
7 Poroshenko would have been a rival of Yanukovych. So I anticipated  
8 that that might be sort of an angle of inquiry.

9 Q I don't understand. What does that have to do with the  
10 allegations of -- Yanukovych was removed in 2014, right?

11 A Right.

12 Q Okay. So the -- what are the -- can you explain a little  
13 more to me?

14 A It's a little bit weird. So Poroshenko and Yanukovych were,  
15 of course, rivals. Poroshenko saw that Trump's campaign manager was  
16 affiliated with Yanukovych, and so I could imagine at the time that  
17 Poroshenko would have concerns about potential policy shifts on Ukraine  
18 following the 2016 election.

19 I was also aware that the Republican platform had changed with  
20 regard to provision of security assistance in the lead-up to that  
21 election. So I imagined that Poroshenko was paying attention to that  
22 fact as well.

23 Q Okay. So you understand why there might be a motivation,  
24 but you were not aware of any factual basis for those allegations?

25 A Correct, absolutely.

1 Q And were you aware by May that Rudy Giuliani was also  
2 promoting some of these narratives?

3 A Yes. I started to see some of the same narratives pop up.

4 Q And then were you aware at that time about a narrative related  
5 to Burisma Holdings and Vice President Biden?

6 A I was aware of Hunter Biden's role in the Ukrainian energy  
7 sector from my time on the Ukraine desk.

8 Q And were you aware that that was -- that whole subject was  
9 one of the things that Mr. Giuliani was promoting in the media?

10 A I became aware when he started tweeting about it.

11 Q And do you recall that there was a fairly -- there was an  
12 article May 9th in The New York Times that got a fair amount of  
13 attention, where Mr. Giuliani said that he was going to go to Ukraine  
14 to pressure the Ukrainian Government for investigations?

15 A Yes. I --

16 Q Was this during the time that you were considering whether  
17 or not to take this job?

18 A Yeah. I don't actually remember the day that Chris and I  
19 had that conversation, but it was probably around that time.

20 Q And how, if at all, did these narratives that were being  
21 played out in the media, through Mr. Giuliani and others, affect your  
22 thinking on whether you were going to take this job?

23 A They made me certainly a lot more trepidatious.

24 Q Why?

25 A I knew from my experience on the Ukraine desk and from working

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1 at the NSC that, like I said before, the nature of the corruption in  
2 Ukraine makes it a particularly difficult country to work on, because  
3 it is difficult to know at any given time what interests are behind  
4 what actions.

5 But one of the reasons that I ultimately agreed to take the job  
6 was because I felt I was probably better positioned than most to help  
7 and advise the Department to manage those tricky waters, and because  
8 I didn't want anyone else to get exposed to what I'm doing today.

9 Q What do you mean by that? You took one for the team?

10 A Yes.

11 Q What were you concerned about others having to deal with?

12 A That I was watching those narratives play out in the media,  
13 and I thought at the time that it was possible that the Trump  
14 administration would choose to change its policy to suit domestic  
15 politics.

16 Q Did you have any conversations with Ambassador Volker before  
17 you took the job?

18 A Actually, no. I'd already -- I'd worked with him before.  
19 We knew each other from before.

20 Q Do you recall when you first spoke with him?

21 A In this capacity or in general?

22 Q Sorry. Yes, in this capacity, after you -- I guess after  
23 you accepted the job, when was the first time that you spoke with  
24 Ambassador Volker?

25 A It would have been when I got back from Kyiv the week of the

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1 8th, but I'm not certain specifically. Oh, it was when we had a meeting  
2 with [REDACTED]. So  
3 whatever date that was. I don't have the specific date with me.

4 Q Was that in D.C.?

5 A That was here in D.C., yes.

6 Q So you didn't speak with Ambassador Volker from May until  
7 you returned to D.C. after July 1st, even though you were going to be  
8 working directly for him?

9 A No, I spoke with Chris. He was in touch with Kurt.

10 Q Did you speak with Mr. Anderson about these narratives that  
11 were playing out in the media related to Mr. Giuliani?

12 A Not until I got back.

13 Q When you -- during the time that you were in Kyiv -- well,  
14 when you arrived in Kyiv, who was leading the Embassy?

15 A The now DCM, Kristina Kvien, had just arrived around the same  
16 time that I did, I think.

17 Q So Ambassador Yovanovitch was gone?

18 A She was gone.

19 Q The former DCM was gone?

20 A That's right.

21 Q And Ambassador Taylor had not yet arrived?

22 A Correct.

23 Q When Ambassador -- during your time in Kyiv in June, did you  
24 have any conversations with Ambassador Taylor about the narratives that  
25 were playing out in the media?

1           A    I had a conversation with Ambassador Taylor before he went  
2 to Ukraine as he was considering taking the position.

3           Q    And can you describe for us that conversation?

4           A    As he's -- as I understand from media reports that he has  
5 testified before, he had come to the Department with concerns that the  
6 U.S. policy on Ukraine might change and wanted to get the Department's  
7 views on that.

8           I sat down with him and shared my very frank assessment that the  
9 White House was not likely to change its policy on Ukraine except in  
10 the event that the President viewed it -- the -- that Biden was going  
11 to be a credible rival for him in the upcoming election, and that  
12 he -- that furthering the narrative that Russia was for the Republicans  
13 and Ukraine was for the Democrats would be in his interest, and that  
14 might push him to change the policy on Ukraine. But I said that,  
15 otherwise, I saw no reason that our policy would change.

16          Q    And were you aware at that -- well, when was that meeting  
17 with Ambassador Taylor, do you recall?

18          A    That would have been in May, very shortly before I headed  
19 out to Kyiv.

20          Q    So just before May 29th?

21          A    Yeah.

22          Q    And were you aware by that point that Vice President Biden  
23 had announced his candidacy for President?

24          A    I don't remember when he announced his candidacy for  
25 President.

1 Q But you knew that he was --

2 A Of course, yes.

3 Q -- a potential candidate?

4 A Yes.

5 Q So I just want to understand this. When you say the White  
6 House policy towards Ukraine, do you mean official U.S. policy  
7 supporting Ukraine in a bipartisan basis?

8 A No, I mean the President's views.

9 Q You mean the President's views?

10 A Yes.

11 Q And so what -- when you said the President's views were not  
12 going to change, what were the President's views that you understood  
13 at that time?

14 A What I've articulated so far, that he was skeptical of  
15 Ukraine as a corrupt country, but he had reversed the decision on  
16 Javelins. So I didn't take him to be sort of anti-Ukraine, aside from,  
17 obviously, this very strongly held view that it is a corrupt country.  
18 But I knew that the rest of the interagency remained united in its  
19 support for Ukraine.

20 Q And so, can you explain how the Biden candidacy would  
21 potentially -- how you thought the Biden candidacy would potentially  
22 impact the President's views on Ukraine, as you explained it to  
23 Ambassador Taylor?

24 A Yeah. This was just sort of my speculation, as somebody who  
25 has watched Ukraine for a while and as somebody who had worked in the

1 White House, but that my understanding was that, you know, in an attempt  
2 to -- that it seemed logical to me that in an attempt to counter the  
3 narrative about Russian support for the Trump administration in the  
4 2016 election or Russian interference in the 2016 election that -- that  
5 it would be useful to shift that narrative by shifting it to Ukraine  
6 as being in support of the Clintons.

7 Q And how would that affect the President's policy views  
8 towards Ukraine?

9 A The way I thought about it was that painting sort of Ukraine  
10 as being against Trump would help distract from a narrative or balance  
11 out a narrative that he had gotten help in the 2016 election from Russia.  
12 Does that answer your question?

13 Q Understood. I guess the question is, if he already had  
14 negative views of Ukraine, how would the effect of Vice President  
15 Biden's candidacy change his views, which I think you said that's the  
16 only way --

17 MR. RATCLIFFE: Just to be clear, are you asking the witness to  
18 speculate as to the President's frame of mind?

19 MR. GOLDMAN: No. I'm asking the witness, based on her  
20 experience for several years related to Ukraine, how she interpreted  
21 the narratives that were in the media at the time related to  
22 investigations.

23 MR. RATCLIFFE: You used the words "the President's thinking."

24 THE CHAIRMAN: Excuse me. Excuse me. She's describing a  
25 conversation she had with Ambassador Taylor. I'll permit the

1 question. You may answer.

2 MR. RATCLIFFE: Let the record reflect the chairman -- I'll  
3 withdraw that.

4 THE CHAIRMAN: You can answer the question.

5 MS. CROFT: Sorry, can you repeat the question?

6 BY MR. GOLDMAN:

7 Q You testified that you indicated to Ambassador Taylor that  
8 the only way that the White House policy would change was somehow  
9 related to this Biden narrative.

10 A Yes, thank you.

11 Q And I'm just asking how the Biden narrative would change what  
12 you've described as the President's negative views towards Ukraine?

13 A That, I think, in order to sort of credibly paint Ukraine  
14 as the enemy in both the 2016 elections and potentially moving forward  
15 to 2020 elections, that that would not be consistent with supporting  
16 Ukraine, in terms of providing lethal assistance or other forms of  
17 political support. Is that responsive?

18 Q It is responsive, but it goes back to, I think, the earlier  
19 question I said, which is that the policy change would be from the  
20 overall support for Ukraine to less support for Ukraine. Is that true?  
21 The policy change that would flow from that would be to reverse the  
22 support for Ukraine.

23 A That is correct. That was as Ambassador Taylor sort of  
24 articulated his concern to me, and that was the question that I was  
25 responding to when I gave that answer.

1 Q And how did Ambassador Taylor articulate the concern to you?

2 A To the best of my recollection, he said, I want to do this  
3 job, but only -- or I'm willing to do this job, only as long our policy  
4 on Ukraine remains the same, meaning support for Ukraine. But if that  
5 changes, or if that's going to change, then I would quit.

6 Q Did he bring up Rudy Giuliani or the Biden narrative to you?

7 A I raised the Biden narrative with him. I don't recall  
8 whether we discussed Giuliani or not.

9 Q Do you know whether he had already met with Secretary Pompeo  
10 by the time that you had this conversation?

11 A I believe he was due to meet with Pompeo after that  
12 conversation.

13 Q And did he tell you what he expected to speak to Secretary  
14 Pompeo about?

15 A My understanding is he was going to ask Secretary Pompeo the  
16 same question.

17 Q And in that meeting with Ambassador Taylor, did he discuss  
18 with you at all a May 23rd meeting at the White House with President  
19 Trump related to Ukraine?

20 A I believe that we did discuss it with regard to how he saw  
21 his role on Ukraine policy vis-à-vis Ambassador Volker specifically,  
22 given the role I was taking on.

23 THE CHAIRMAN: We're going to come back to that next round. I  
24 just have a couple questions before our time expires.

25 Going back to the Javelins, it was the consensus of U.S.

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1 policymakers within the NSC and State Department that the Javelins  
2 should be provided. The lone objector was OMB. Is that right?

3 MS. CROFT: The lone objector in the paper PC on the Javelin  
4 decision was OMB.

5 THE CHAIRMAN: So it was the view of -- apart from OMB, it was  
6 the unanimous view that providing Javelins to Ukraine would help  
7 Ukraine in its defense against Russia and would, therefore, be in U.S.  
8 national security interest?

9 MS. CROFT: Correct.

10 THE CHAIRMAN: If we didn't provide Javelins to Ukraine, would  
11 that serve Russia's interest?

12 MS. CROFT: In my opinion, yes.

13 THE CHAIRMAN: Our time has expired. One hour to the minority.

14 MS. CROFT: Sorry. I don't want to interrupt you once we start  
15 on your hour. I wonder if I could use a break?

16 THE CHAIRMAN: Of course. Let's take a 5-minute break.

17 [Recess.]

18 THE CHAIRMAN: All right. Let's come to order.

19 One hour with the minority.

20 BY MR. CASTOR:

21 Q Ms. Croft, I'm Steve Castor with the Republican staff.

22 Thanks for being here today. I know this is not the most comfortable  
23 environment, so thank you for your willingness to sit through this and  
24 be helpful with your questions.

25 I'm an investigative person. I work on investigations of all

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1 types, not necessarily those relating to the State Department, so if  
2 I get any of these pronunciations wrong or if I don't have a sufficient  
3 understanding of how things really work at the State Department, I  
4 hope -- I mean no disrespect, and I hope you'll just help me understand.

5 Before becoming Ambassador Volker's -- before joining his team,  
6 you were in Arabic language training. Is that right?

7 A That's right.

8 Q And you were aiming to head to Baghdad?

9 A That is correct.

10 Q Okay. And how did you break that -- that assignment, you  
11 know, in terms of going over to help Ambassador Volker?

12 A So for certain high-danger posts, the Department will allow  
13 you to break assignment without any explanation, and that was the case  
14 here.

15 Q Okay. And was it your initiative to break that or  
16 did -- other than Mr. Anderson, I know you mentioned him.

17 A Yes, I broke the assignment to take this position. But  
18 interestingly, just a few days later, I got the notice that my position  
19 was removed in the drawdown.

20 Q Okay. And you had worked with Ambassador Volker before?

21 A Yes.

22 Q And you had a good working relationship with him?

23 A Yes.

24 Q How long have you known the Ambassador?

25 A I believe I would have met him in or around July of 2017,

1 when he became the special rep.

2 Q Okay. That was the first time you met him?

3 A I believe so, yeah.

4 Q Okay. He's a person of high integrity?

5 A Yes.

6 Q A person that in all aspects of his work would do things that  
7 he believed were in the best interest of the United States?

8 A Yes. In my opinion, yes.

9 Q You were on detail to the National Security Council, if I  
10 have this correct, between July 2017 and July 2018?

11 A That's right.

12 Q How do those postings work or detailees when you're a State  
13 Department official? How do you get selected or how do you bid for  
14 those opportunities?

15 A In my case, I was approached by my predecessor, who asked  
16 me to take on the role. And I was, of course, also hesitant. But then,  
17 I agreed to sit down with Fiona Hill and Richard Hooker for an interview.

18 Q Who was the predecessor?

19 A [REDACTED].

20 Q And you interviewed with Fiona Hill?

21 A Yes, and Richard Hooker.

22 Q And how does the process work inside of the State Department,  
23 in terms of getting permission to be a detailee?

24 A I think poorly. I can't illuminate, but it's a lot more than  
25 that.

1 Q What are the mechanics of it?

2 A As I understood it, there was a formal request from the  
3 executive secretary at the NSC to the executive secretary at the State  
4 Department, and then it is a black box until I'm told to report for  
5 duty.

6 Q Okay. And how long was that? Like, how long were you in  
7 limbo before you reported to the NSC?

8 A Longer than would be normal. I don't remember specifically  
9 how long, but because at the time, Tillerson had put a block on all  
10 NSC -- or on all State detailees to the NSC.

11 Q Okay. And was the block ultimately lifted? Is that what  
12 allowed you to go over there?

13 A I believe it was lifted, if I recall correctly, on sort of  
14 a case-by-case basis. So specifically, my detail was authorized.

15 Q Okay. And did you know anybody when you went over to the  
16 NSC, or just those you interviewed with?

17 A I knew several members of the previous team.

18 Q Okay.

19 A In Pound (ph), Russia.

20 Q And did you know Dr. Hill?

21 A Only when I interviewed for the job.

22 Q Okay, that was the first time you met her?

23 A Yes.

24 Q And how did the reporting relationship work? You reported  
25 to Dr. Hill, and then she reported to -- who did she report to?

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1           A    I reported to Dr. Hill, and then she reported to the National  
2 Security Advisor, sometimes through the Deputy National Security  
3 Advisor.

4           Q    At the time, it was General McMaster?

5           A    I worked under both General McMaster and under Ambassador  
6 Bolton.

7           Q    If my dates are right, General McMaster was there until April  
8 of 2018?

9           A    That sounds right. I don't remember the specific date.

10          Q    Okay. Were things different under General McMaster and  
11 Ambassador Bolton, in terms of how the NSC worked?

12          A    Oh, yeah.

13          Q    And can you describe those differences?

14          A    General McMaster had very strong views about process and how  
15 process should work, and had worked hard to establish a process and  
16 create a series of strategies and implementation plans. And, you know,  
17 it was sort of -- it was sort of like being at war college, though I've  
18 never been at war college, but that's how I imagine it felt; whereas,  
19 under Ambassador Bolton, there were -- that process slowed down  
20 significantly.

21          Q    Okay. And you were at the NSC for a year?

22          A    That's right.

23          Q    And what were the circumstances of you leaving NSC?

24          A    When I took the position at the NSC, because we, as Foreign  
25 Service Officers, bid a year out, I had already -- or at some point

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1 very early on in my tenure, I had agreed to go to Baghdad following  
2 the assignment.

3 Q Okay. So it was a 1-year posting?

4 A It was a 1-year posting. The NSC did actually ask me to stay  
5 on for a second year, and I agreed to do it. But then with the  
6 transition from McMaster to Bolton, I decided not to.

7 Q Okay.

8 A Not because of Bolton.

9 Q Okay. Why did you decide not to?

10 A I specifically had wanted to work for General McMaster, but,  
11 also, because I had sort of decided that that transition was going to  
12 create a lot of chaos and work, and that I needed some downtime.

13 Q And how was your working relationship with Dr. Hill?

14 A Excellent.

15 Q And did she include you in all the matters related to Ukraine  
16 and your portfolio?

17 A Yes. As far as I'm aware, yeah.

18 Q And what was your portfolio?

19 A Ukraine, Moldova, Belarus, the Caucasus and OSCE.

20 Q And who took your job when you left the NSC?

21 A My job was divided up into different portfolios. So nobody  
22 took my full portfolio.

23 Q Did you transition out of your job when you left the NSC and  
24 went back to State Department with the incoming person?

25 A On the Caucasus side, no, that position was left vacant for

1 a period of time. On the Ukraine, Moldova, Belarus side, I had a brief  
2 overlap with Alex Vindman.

3 Q Okay. And did you have -- how long was the overlap?

4 A I think it was a week.

5 Q Okay. And was that a good transition period? Was that  
6 enough time to get Lieutenant Colonel Vindman up to speed on the issues?

7 A It's more than NSC directors usually get.

8 Q Okay. And then when you were back at the State Department  
9 working for Ambassador Volker, how did that situation work? He was  
10 an unpaid official, correct?

11 A That's right.

12 Q Okay. And so, your organization, was it, you and him or did  
13 you have additional staff support?

14 A We had an office management specialist, like a secretary.

15 Q But you were his only direct report?

16 A Yes.

17 Q And I'm going to go through some of the events that have been  
18 part of the committee's inquiry, just to see if you have any firsthand  
19 information on them. Were you part of the trip, did you participate  
20 at all in the inaugural which was in May of 2019? I think that is  
21 slightly before your posting began.

22 A That is correct, that was before my posting began.

23 Q Okay. Did your predecessor participate in that trip?

24 A I believe so, yeah.

25 Q So Mr. Anderson, he traveled to Ukraine?

1 A That's my recollection, but I think he'd have to answer that.

2 Q Okay. And during the -- so you said that in the month of  
3 June, you traveled to Kyiv and worked out of the embassy there?

4 A That's right.

5 Q Was that for the full month?

6 A Yeah. I got in -- I flew out May 29th or 28th, or something  
7 like that, and I left, I believe, July 1.

8 Q Okay. And during your time in Kyiv, was Ambassador Volker,  
9 was he traveling to Kyiv at the same time?

10 A Ambassador Volker was not in Kyiv while I was there on that  
11 trip.

12 Q Okay. And what was the purpose of your going to Kyiv for  
13 that one-month period?

14 A So while I had worked on Ukraine issues quite a bit in D.C.,  
15 I had never actually served at our Embassy in Kyiv. So this was for  
16 me -- we'd had a lot of turnover at the Embassy, so partly for me to  
17 get to know the new team out in Kyiv and, in part, just to have some  
18 time on the ground.

19 Q Okay. And that was effective for you?

20 A Yeah.

21 Q The -- Ambassador Volker had pretty good relationships with  
22 the Ukrainian officials. Is that fair to say?

23 A Yes, I think that's fair to say.

24 Q Which Ukrainian officials did he have relationships with  
25 that he kept in regular contact?

1           A    I understood him to be in very regular contact with Andrey  
2 Yermak, as well as the now-foreign minister, Vadym Prystaiko. I  
3 believe he met with President Zelensky four, five, six times, something  
4 like that.

5           Q    Were you in any of those meetings?

6           A    I was not in any of those meetings.

7           Q    Were you with Ambassador Volker during the July -- did you  
8 travel to Kyiv with Ambassador Volker on the July 25th-26th trip?

9           A    Yes, I was with him.

10          Q    But you weren't in the meeting with President Zelensky?

11          A    No.

12          Q    Do you remember who was in the meeting with Ambassador Volker  
13 and the President July 26?

14          A    On the U.S. side?

15          Q    Yeah.

16          A    It was Ambassador Volker, Ambassador Sondland, Ambassador  
17 Taylor, a representative from the political section as note-taker, and  
18 I believe an interpreter from the U.S. Embassy was present as well.

19          Q    And did you get a readout of that meeting?

20          A    I got a very brief readout from Ambassador Taylor on the car  
21 ride away from the meeting.

22          Q    And what do you remember from that readout?

23          A    I remember that his recount -- so he recounted to me what  
24 Zelensky said in that meeting about the phone call with the President,  
25 and that overall it was a very upbeat readout, and the part that I was

1 focused on getting out of that readout was about the possibility of  
2 scheduling a face-to-face meeting between the President and President  
3 Zelensky.

4 And so we discussed the potential for an encounter at Warsaw,  
5 because they were both going to be there at the same time. We  
6 discussed -- but we discussed the need separately for an invite to an  
7 Oval. And I recall Ambassador Taylor being fairly optimistic about  
8 our ability to get that meeting scheduled.

9 Q Okay. There's been some discussion of whether during that  
10 meeting, President Trump's demands were, you know, discussed or whether  
11 the, you know, Ukrainians needed help navigating what those demands  
12 might have been. Did you hear anything of that sort?

13 A I believe I recall hearing Ambassador Taylor mentioning that  
14 the President raised investigations there, but I don't have a very  
15 specific memory of anything that was said with that regard.

16 Q So the Ambassador told you that President Zelensky related  
17 to him it was an upbeat meeting, but there was a mention of  
18 investigations?

19 A No. I believe that Ambassador Taylor said that the  
20 President did raise investigations in that meeting, but my memory of  
21 that part of the readout isn't as strong as the part about trying to  
22 get an Oval meeting.

23 Q Okay. Did you have an understanding of what the  
24 investigations were at that point?

25 A I understood it to be investigations into interference in

1 the 2016 election.

2 Q Okay. But not related to the company called Burisma?

3 A I do not specifically recall whether Burisma came up or not  
4 in the readout that I got.

5 Q Is Burisma a company you're familiar with in your experience  
6 as a Ukrainian -- an expert with Ukraine?

7 A No, not especially. I didn't deal a whole lot with energy  
8 issues, except at a very sort of high-policy level.

9 Q You were on the Ukraine desk for a period of time, I think  
10 you mentioned?

11 A Yes, 2 years.

12 Q What was that time period?

13 A August 2015 to July 2017.

14 Q And during your time on the Ukraine desk, did you ever come  
15 across any information about Burisma?

16 A I had heard that Hunter Biden was on the board of an energy  
17 company.

18 Q Okay. Which was Burisma?

19 A Yes.

20 Q Okay. But you hadn't heard anything about -- I guess there  
21 was an oligarch named Zlochevsky who was a former ecology minister that  
22 ran Burisma. Did you know that?

23 A Yeah, I don't know anything about Zlochevsky.

24 Q Okay. So you only knew about the Hunter Biden?

25 A I only knew about that, yeah.

1 Q And what can you tell us about that?

2 A Nothing more than what I've already said, that at the time,  
3 I was aware that the Vice President's son was serving on the board of  
4 an energy company. But my portfolio didn't deal in -- on the energy  
5 or the economic side at that time. I was very focused on the defense  
6 issues, and so --

7 Q Okay. So that was just something you learned in passing?

8 A Yes, exactly.

9 Q Okay. And were there any other -- how did you learn it? It  
10 was in cable traffic, or did a colleague mention it to you?

11 A I think it just came up, yeah, in conversation somebody was  
12 sort of annoyed that that was the case, but I can't remember  
13 specifically who said it, or under what circumstance.

14 Q And do you remember what they may have been annoyed about?

15 A You know, I think just sort of a general concern about the  
16 appearance of the Vice President's son doing business in Ukraine.

17 Q At the time, Vice President Biden, did he have an interest  
18 in Ukraine?

19 A Yes. I mean in a policy sense.

20 Q Oh, sure. What can you tell us about that?

21 A At the time, the Vice President was very engaged on Ukraine  
22 policy. He spoke several times with President Poroshenko, and spoke  
23 to -- if I recall correctly, spoke to other world leaders in support  
24 of Ukraine as well.

25 Q You mentioned earlier in the first hour some of the different

1 forms of assistance the United States provides to Ukraine. There's  
2 the FMF and the USAI. Are those the two primary vehicles to provide  
3 security assistance and economic assistance to Ukraine?

4 A Since -- yes, since 2015, those are the two primary vehicles.

5 Q And one is operated by DOD, the other is the State Department?

6 A That is correct.

7 Q And did you have any role in your dealings at the State  
8 Department on the FMF component of this?

9 A Yes. My portfolio included both FMF and also the sort of  
10 our full picture of security assistance.

11 Q Okay. And did the loan guarantee process also factor into  
12 the FMF pot of money?

13 A No. Those were separate.

14 Q Okay. And how were those -- how were the loan guarantees  
15 to Ukraine handled?

16 A I don't know the mechanics of how our loan guarantees worked.  
17 Like I said, that was sort of handled by the economic side of the Ukraine  
18 desk at the time, so I wasn't responsible for that.

19 Q Okay. But it was handled by State Department officials?

20 A There was a policy role in it, but exactly, like I said, how  
21 the mechanics work about these loan guarantees I don't know.

22 Q Do you know how the loan guarantees figured into the  
23 interagency process?

24 A I'm not exactly sure how to answer that question, but I think  
25 I know what you're getting at, so I'm going to try to go there. And

1 that is that, in general, our loan guarantees, like all other forms  
2 of economic assistance, were conditioned on Ukraine meeting certain  
3 reform benchmarks. And, as I testified before, those reform  
4 benchmarks are usually sort of set with the IMF in the lead.

5 Is that responsive to you?

6 Q Yes, it is?

7 A Your question? Okay.

8 Q If there was going to be a decision to withdraw a loan  
9 guarantee, would that go through the PCC process?

10 A I believe, yeah, that all of the questions about the loan  
11 guarantees went through the interagency process. But, like I said  
12 before, I wasn't participating in it contemporaneously.

13 Q Okay. Are you familiar, was there an interagency decision  
14 in 2016 or before to provide Javelins to the Ukraine?

15 A No.

16 Q That was a new initiative in 2017?

17 A Let me be more -- try to be more specific with the question.  
18 The interagency considered the question of whether to provide Ukraine  
19 Javelins, but no positive decision was made until 2017.

20 Q Okay. And can you tell us what you remember about that  
21 process?

22 A My recollection is that there was a series of interagency  
23 meetings on whether we should lift the ban against providing Ukraine  
24 defensive weapons, and specifically, how we should respond to Ukraine's  
25 request for Javelin antitank missile systems.

1           My under -- I recall that going up to, I believe, at least, the  
2 PC level under the previous administration, I don't recall if that  
3 decision was blocked at the NSA or at the Presidential level, but --

4           Q    NSC or NSA?

5           A    NSA, NSA.

6           Q    Okay. I thought you said NSA.

7           A    Okay.

8           Q    Okay?

9           A    Yeah.

10          Q    You're not sure where it was blocked?

11          A    I know that the agencies broadly supported the provision of  
12 Javelins under the previous administration as well, but that the White  
13 House did not authorize it.

14          Q    And do you know what was the basis for that nonauthorization?

15          A    My understanding at the time that it was at least, in part,  
16 over concerns about how Russia would respond, and whether it would be  
17 provocative.

18          Q    But the interagency, what was united before it got to the  
19 White House?

20          A    The policy -- the policy agencies were united in their view.

21          Q    And that changed in 2017?

22          A    No, the policy agencies have always been consistent on their  
23 views on the provision of Javelins.

24          Q    Okay. So what changed between 2016 or earlier, and then the  
25 new administration?

1           A    The President made a different decision than the previous  
2    President had.

3           Q    And do you remember when that occurred?  I think you may have  
4    mentioned it this morning, but just so I'm tracking it properly.

5           A    Late December 2017.

6           Q    Okay.  So if I understood what you were testifying to this  
7    morning, there was -- it was approved, but then there was a hold on  
8    it?

9           A    No.  So the specific process was there was a sub PCC, a PCC,  
10   a DC, and a paper PC.  When that paper PC went out, all of the agencies  
11   came back with their reactions.  The only objector was OMB at the PC  
12   level.  Does that make sense?

13          Q    Yes, it does.

14          A    Okay.  And that was -- so that was to get all principals on  
15   the same page about what to recommend to the President.  So that  
16   preceded the President's decision.

17          Q    Okay.  And then OMB ultimately lifted their concern?

18          A    Correct.  They lifted their block, yeah.

19          Q    They lifted their block, and that was when?

20          A    It -- like I said before, I believe it would have been in  
21   like November or early December, but I don't recall the specific dates.  
22   And I am not allowed to keep my notes from that period of time, so I  
23   have no way of refreshing my memory.

24          Q    Okay, fair enough.  Do you remember roughly how long it was?

25          A    Like I said before, I believe it was -- you mean how long

1 the OMB block was?

2 Q How long the hold was, yes.

3 A Yeah, I believe it was roughly a couple weeks, but, again,  
4 I can't say for sure without refreshing my memory with my notes, and  
5 I don't have access to those.

6 Q Okay. Was there anything unusual you remember about that  
7 time period, or was it just part of the ordinary bureaucratic speed  
8 bumps that often occur?

9 A No. OMB's decision to object, and to do so on a policy basis  
10 was highly unusual.

11 Q Okay. But, ultimately, OMB lifted their hold and the money  
12 was released, or the authorization for the money was released?

13 A Ultimately, OMB lifted their objection at the PC level, and  
14 the decision went to the President.

15 Q There was discussion this morning in the first hour that the  
16 delay of the Javelins served Russia's interest?

17 A Are you referring -- sorry -- a decision to not provide  
18 Javelins --

19 Q Yes.

20 A -- would serve Russia's interest.

21 Q Yes, right. So I'm just trying to understand the difference  
22 between the Obama and the new administration on that position. I mean,  
23 if during the Obama era, there was a reluctance to provide the Javelins,  
24 did that, too, serve Russia's interest?

25 A I believe so.



1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]

4 Q Okay. Once you returned to the United States, I guess that  
5 was the beginning of July, do you remember any significant events  
6 relating to -- you know, involving Ambassador Volker's involvement  
7 with the Rudy Giuliani piece of this?

8 A I don't know what you mean by like significant events, but  
9 that is, as I've testified to, the first time that I learned that  
10 Ambassador Volker was in touch.

11 Q And when was that?

12 A That would have been the week of July 8. I don't remember  
13 the specific date.

14 Q Did you have any discussions with Ambassador Volker about  
15 the challenges presented by the Giuliani involvement?

16 A We had one discussion in which I thanked him for keeping me  
17 out of that mess, and then, you know, I think another, you know, a couple  
18 times he mentioned sort of a need to get this Giuliani line of effort,  
19 sort of, off the table, so we can get on with the business of our actual  
20 policy. Those weren't his exact words, but that would have been the  
21 spirit of --

22 Q Did he ever articulate to you his strategy with that?

23 A Not very specifically. Like I said, I had thanked him for  
24 keeping me out of that mess.

25 Q Did he communicate to you that he believed Mr. Giuliani was

1 amplifying a negative narrative and fueling the President's mistrust  
2 of Ukraine?

3 A Yes. You know, my interpretation of his intention was that  
4 he hoped that he could convince Giuliani and the President that the  
5 new -- the new administration in Ukraine was different from the old  
6 one, that they were serious about combating corruption, and that they  
7 merited us dealing with in a serious fashion and that it was in our  
8 interest to deal with the new administration and support their efforts  
9 to combat corruption.

10 Q Did Volker ever walk you through some of the investigations  
11 that were discussed at this time, or what the requests were?

12 A No, he never walked me through any of those conversations.

13 Q Did you ever hear Ambassador Volker talk about, you know,  
14 investigating the Bidens as something that, you know, some parts of  
15 the U.S. Government were interested in?

16 A I had one brief exchange, I think, with Ambassador Taylor  
17 and Ambassador Volker, but I don't remember the exact date. I remember  
18 that we were in Kyiv at the time. But concerned about the difference  
19 between a request for, broadly speaking, investigation into  
20 interference in the 2016 election, and then specifically, into specific  
21 cases of corruption, and our sort of shared discomfort at the line  
22 between those two things.

23 Q Okay. Were they interconnected or were they two separate  
24 buckets?

25 A I don't know the answer to that question. Like I said in

1 my opening statement, my work was sort of outside of that line of effort,  
2 and I sort of was not briefed on Ambassador Volker's conversations with  
3 Giuliani.

4 Q Okay. Did you know whether Ambassador Volker was advocating  
5 for investigations related to the Bidens?

6 A I don't know what he may or may not have said to Giuliani,  
7 or -- and, like I said, I wasn't present in his conversations one-on-one  
8 with Zelensky, so I don't know the answer to that question.

9 Q Did he ever relate to you what his views on that were?

10 A I think he shared our collective discomfort with the idea  
11 that we would be requesting specific investigations on a specific  
12 individual, but, like I said, we didn't talk a lot about that. Most  
13 of my conversations with him were centered around trying to get an Oval  
14 meeting set up and trying to advance our negotiations. So I had a lot  
15 of other things to talk to him about other than this.

16 Q Okay. Did he ever tell you that he told Giuliani that  
17 there's no basis to investigate the Vice President, the former Vice  
18 President?

19 A Like I said, he never talked to me about what his  
20 conversations with Giuliani were about.

1 [11:26 a.m.]

2 BY MR. CASTOR:

3 Q Okay. How frequently did you interact with Ambassador  
4 Volker?

5 A Almost daily, I would say.

6 Q Okay. Was it mostly by email or is it telephone as well?

7 A Email and WhatsApp. Mostly WhatsApp.

8 Q Okay. Just texting on WhatsApp?

9 A Yeah. Or in person if we were traveling together or  
10 something like that.

11 Q Okay. During your time with Ambassador Volker, did you ever  
12 hear him mention the word the Bidens in connection with an  
13 investigation?

14 A Oh, gosh. I don't have any specific memory of that, no.

15 Q So in any of the meetings that you attended with him you don't  
16 recall the Bidens coming up -- with Ukrainians?

17 A I would have to go back through my notes to try to recall  
18 if any of that ever came up.

19 Q Okay. But as you sit here today you don't --

20 A There's nothing that stands out in my memory right this  
21 minute, no.

22 Q Okay. How about with the company Burisma?

23 A Same answer.

24 Q Okay. So your recollection of the discussion of  
25 investigations, to the extent it got specific, it related mostly to

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1 the origins of the 2016 interference allegations?

2 A Aside from the one conversation I just told you about.

3 Q With Ambassador Taylor?

4 A Yeah. Yeah.

5 Q And how frequently did you witness conversations that  
6 related to the 2016 component? Was this a small number or was this  
7 a topic of some regular discourse?

8 A This was not a topic of anything that I engaged on in any  
9 sort of regular fashion. Like I said, this was outside of my duties,  
10 which were focused on the negotiations.

11 Q Okay. Are you familiar with the July 10th meeting with  
12 Ambassador Bolton that was attended by Andrey Yermak, I think, and  
13 Danylyuk?

14 A I'm aware of it.

15 Q Okay. But you didn't attend that meeting?

16 A I did not attend that meeting.

17 Q Did you help Ambassador Volker or any other State Department  
18 official prepare for that meeting?

19 A No. My predecessor, Chris Anderson, was still in the  
20 position at the time. That was the week that we were overlapping.

21 Q Oh, okay. Do you know if he went to the meeting?

22 A I don't believe he did, no.

23 Q Okay. Did you get a readout from that meeting?

24 A I did, but nothing very specific, just sort of a general  
25 assessment of Danylyuk's performance and whether he was successful in

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1 convincing Bolton that the Zelensky administration was serious about  
2 reforms, because that's what related to my portfolio. I know where  
3 you're going, so that's why I answered the question that way.

4 Q So what did you -- what was that readout? Was it successful  
5 on that?

6 A I had met Danylyuk several times before [REDACTED]  
7 [REDACTED] So that's what I  
8 was mostly concerned with.

9 Q Okay.

10 A And whether we would get an Oval, like I said.

11 Q And what was holding up the Oval Office meeting at that point.  
12 Do you know?

13 A I don't know specifically. My understanding at the time was  
14 that it was, again, that we had not been successful at convincing the  
15 President that this new administration in Ukraine was different from  
16 the old one, would be serious about combating corruption, and so forth.  
17 All the reasons I've given before.

18 Q At any point in time did you come into contact with Ambassador  
19 Sondland?

20 A Yes.

21 Q And when was that?

22 A It would have been the first time that we were all in Kyiv  
23 together at the same time, which I believe was before July 25-26, that  
24 visit. I think that I had -- which was the other visit? Maybe it was  
25 July 25 and 26, I think that might have been the time I met him.

1 Q And what was your understanding of his role related to  
2 Ukraine?

3 A So that he had an interest in Ukraine policy, and that he  
4 had the ability to talk directly to the President, and that Ambassadors  
5 Volker and Taylor saw merit, rather than keeping him sort of outside  
6 of the tent, instead bringing him in, along with all of his energy and  
7 positive notions about Ukraine, to help sort of move the needle with  
8 the President on his views about Ukraine and corruption.

9 Q Did he present any problems for Ambassador Taylor or Volker?

10 A I couldn't speak to that.

11 Q Okay. You know, when you mentioned bringing him in the tent,  
12 it seems like not bringing him into the tent might create problems.  
13 Is that what you were alluding to?

14 A I think -- I don't -- I couldn't really speculate about that.  
15 I mean, as has been previously reported, it is unusual for the U.S.  
16 Ambassador to the EU to be playing an active role on policy with regard  
17 to a specific country that isn't in the EU. And I think there was some  
18 consternation about what that was about. But I think that Ambassador  
19 Volker and Ambassador Taylor saw an opportunity there.

20 Q Okay. How many different times were you with Ambassador  
21 Sondland, in-person interactions?

22 A So I spent part of the 25-26, the part where he was with Kurt  
23 on that trip, I was with that whole delegation. And then I saw him  
24 up at the U.N. General Assembly on the margins of the President's  
25 meeting with Zelensky.

1 Q In September?

2 A In September.

3 Q So it was mostly before September, before the issue regarding  
4 the 7/25 call became a big deal. The only time you were with Sondland  
5 in person was on the 25 and 26 of July, that trip?

6 A I'm trying to remember all of my --

7 Q To the best of your recollection.

8 A I'm trying to remember all of my trips to Kyiv and when I  
9 might have met with Ambassador Sondland. But that's what I'm recalling  
10 right now.

11 Q Do you ever recall him mentioning Bidens, Burisma, 2016, or  
12 anything relating to investigations in any of your times with him?

13 A Not that I recall, no. Our meetings would have been about  
14 Ukraine and reforms and Oval meeting.

15 Q Okay. So you never heard him mention the word Bidens?

16 A Not that I recall, but --

17 Q Okay.

18 A That's a pretty specific question.

19 Q Okay. During any of the meetings that you participated with  
20 Ambassador Sondland, did you hear him make any statements that  
21 concerned you? That maybe he was outside of his lane or he was  
22 representing communications about, you know, he had with the President,  
23 any --

24 A I don't think in any of the meetings that I was in I heard  
25 anything like that. I heard largely enthusiastic support for Ukraine.

1 But, you know, I think he was sort of objectively outside of his lane.  
2 So that's sort of a difficult question to answer.

3 Q Did he ever represent to you in your presence that he was  
4 in contact with the President?

5 A Yes.

6 Q Okay. And what can you tell us about that?

7 A Only that he would make passing reference to: I'm going to  
8 call the President after this or I've spoken with the President or  
9 something like that. But this was always, like I said, at least in  
10 my presence about the idea of getting this Oval meeting set up.

11 Q Okay. So did it seem like he was in constant contact with  
12 the President?

13 A I wouldn't know. I just heard passing references.

14 Q Okay. Do you think Ambassador Volker, to the best of your  
15 knowledge, you know, appreciated Ambassador Sondland's ability to have  
16 communications with the President or was it a little bit of an issue?

17 A I never personally witnessed any, you know, conflict between  
18 those two, but I don't know what they spoke about when I wasn't present.

19 Q Okay. You mentioned that your first week on the job you had  
20 a discussion with Ambassador Volker about keeping you out of the Rudy  
21 Giuliani?

22 A I don't remember if that was that week or if it was on a  
23 different occasion.

24 Q Okay.

25 A And it wasn't really a conversation, that was just me

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1 declaring, keep me out of that mess, and he said okay. Well, sort of.  
2 I said I'm really glad you're keeping me out of that mess. And he just  
3 said, yup.

4 Q So you could tell by his reaction that he thought it was a  
5 little bit of a complex situation?

6 A I think that's fair to say, yes.

7 Q Okay. I mean, he wasn't enthusiastic about Rudy Giuliani's  
8 involvement, was he?

9 A Not that I understood, no.

10 Q Was Ambassador Sondland enthusiastic about Rudy Giuliani's  
11 participation?

12 A I couldn't tell you. I don't know.

13 Q Was anyone?

14 A Not that I ever heard.

15 Q So nobody at the State Department, to your knowledge, was  
16 enthusiastic by about Mr. Giuliani's role?

17 A I - no, not that I ever heard.

18 Q Before the 7 -- July 18th, 7/18 hold on the Ukraine security  
19 assistance, were there any other meetings related to the matters under  
20 investigation of the committees that we haven't talked about that you  
21 were a firsthand participant in?

22 And that would be any meeting where Rudy Giuliani came up or  
23 Ambassador Sondland was involved or, you know, efforts to get the White  
24 House visit. Are there any other meetings or conversations you had  
25 that we haven't discussed prior to July 18th that is worth talking

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1 about?

2 A I mean, as I reported, I found out that Ambassador Volker  
3 was speaking to Rudy Giuliani before that, at some point, I don't  
4 remember exactly what those circumstances were.

5 It's difficult to answer that question fully because nearly every  
6 meeting that we had, in some way or another, was aimed at trying to  
7 get a face-to-face meeting between Zelensky and Trump.

8 So I would say just about every meeting I had in some way involved  
9 that, but I couldn't right now give you sort of a detailed accounting  
10 of all of my meetings. But my records have been made available pursuant  
11 to requests.

12 Q Okay. And during that time period what were the State  
13 Department officials, like yourself, doing to support that effort?

14 A So I'm trying to think about what I was doing during those  
15 specific dates.

16 Q Like what was the State Department's role in advocating for  
17 the meeting or trying to get the meeting to occur?

18 A I mean, we were, you know -- the facilitation of the July 10  
19 meeting, I think, was aimed at having a conversation about the viability  
20 of a meeting like that.

21 Something like that would be sort of routine in all of our business  
22 anyway. So you would -- you'd be talking to -- I would be talking to  
23 a counterpart in Kyiv or a would be talking to a counterpart at DOD,  
24 or whatever it is, about, hey, have you heard? Have we made any  
25 progress? Do we have a date? I might have talked to the NSC. I don't

1 know.

2 But, I mean, that would have been sort of part of my daily sort  
3 of work just coordinating with my, you know, counterparts within the  
4 State Department and across the interagency about, you know, sort of  
5 what the latest is.

6 In terms of that specific line of effort, that was much more sort  
7 of Ambassador Volker's lead because he's obviously more senior and can  
8 do more about it than I can. I was just making sure that he was fully  
9 staffed and what I knew about who was talking to who and when and, you  
10 know.

11 Q Okay. But nothing you were doing --

12 A What was happening in eastern Ukraine, the violence, et  
13 cetera.

14 Q But nothing you were doing in that time period related to  
15 encouraging investigations or talking about --

16 A No. No. I had no involvement in anything related to -- the  
17 one exception is, I did send one email to Bruce Swartz at DOJ relaying  
18 Ambassador Volker's request for a meeting with the Attorney General.

19 Q Okay.

20 A And when asked what the topic was, I said 2016 elections.

21 Q Okay.

22 A But that's where my involvement in that ended. I just  
23 relayed that, and then I understood those two to be in contact.

24 Q Do you know if Ambassador Volker had tried to call Bruce  
25 Swartz?

1 A I believe he did.

2 Q And do you know if Bruce Swartz replied?

3 A I don't know.

4 Q And he instructed you to email Bruce Swartz to see about the  
5 viability of Ambassador Volker meeting with the Attorney General?

6 A He just sort of gave me a vague direction to get him a meeting  
7 with the Attorney General, so that was my job.

8 Q Okay. So you emailed Bruce Swartz?

9 A Yes.

10 Q Did you call Bruce Swartz?

11 A No, I don't think so. I think I just -- I think I just emailed  
12 him.

13 Q Did he email you back?

14 A Yes. And then I put him in touch with Kurt and then I was  
15 out of the --

16 Q You put him in touch with who?

17 A With Ambassador Volker.

18 Q And did they having a meeting?

19 A I don't know.

20 Q So you don't know --

21 A I don't think so. I don't think. But not that I'm aware  
22 of.

23 Q Do you know if they had any discussions, if they linked up?

24 A Who are they? Bruce Swartz --

25 Q Bruce Swartz and Ambassador Volker.

1           A    I think they probably did, but I'm not entirely certain.  Is  
2   it because I'm referring to everybody by their first name?  I can change  
3   that.  Okay.  I know it gets a little confusing.

4           Q    So you emailed Bruce Swartz, you connected him to Volker,  
5   and that was the end of it?

6           A    Yes.  That was the end of my involvement in it.

7           Q    Okay.  And then what can you tell us about the July 18th PCC  
8   meeting?

9           A    It was a sub-PCC.

10          Q    A sub-PCC, I'm sorry.

11          A    And it was inexplicably about some money that had been  
12   allocated to DOE for some sort of cybersecurity line of effort, some  
13   like \$1.1 million, or something like that, but where the collective  
14   interagency was not happy with DOE's implementation.

15          All to say, sort of very routine low-level business.  But then  
16   George Kent pointedly asked:  I heard that there was a hold on security  
17   assistance.  And that of course -- and that was sort of towards the  
18   end of the meeting, but of course that blew up the meeting.

19          Q    Okay.

20          A    And the substance of it is what I reported in my opening  
21   statement.

22          Q    Okay.  Did you tell us in your opening who -- who on the OMB  
23   staff --

24          A    I don't know.

25          Q    -- had chimed in?

1 A I didn't know.

2 Q Okay. And were you there in person or were on a SVTC?

3 A I was participating via SVTC.

4 Q And then what was the next fact or event you can remember  
5 after the 7/18 meeting when the hold was placed?

6 A It was the 18th. I remember landing in Kyiv the most -- on  
7 my most recent trip, which was for the YES Conference, so it would have  
8 been like September 12 or 13, whenever I landed, and seeing that the  
9 hold had been lifted.

10 Q So you didn't have any -- did you sit on any of the other  
11 meetings at the PCC level or --

12 A I did not sit in on the PCC or the DC.

13 Q Do you remember when those occurred and what the dates were?

14 A I don't remember.

15 Q Did you get readouts of what was occurring?

16 A I would have gotten the SOC along with everybody else, the  
17 statement of conclusions.

18 Q And who attended in your -- did Ambassador Volker attend  
19 those?

20 A I don't think he did, but I don't specifically remember. I'm  
21 pretty sure he didn't, but I'm not positive.

22 Q Okay. Who was representing the State Department, George  
23 Kent?

24 A So typically at a -- and I don't remember specifically who  
25 it would be, but at a sub-PCC it would normally be the DAS, so in this

1 case George Kent. At a PCC, it would normally be the assistant  
2 secretary, which would be Phil Reeker, but I don't recall who  
3 represented. Like I said, I wasn't there. And at a DC it would  
4 normally be the deputy, so -- our deputy secretary of state. But I  
5 don't think that we met those levels at each meeting, but I don't  
6 remember specifically.

7 Q During this time period was there a hope that the aid would  
8 get released or --

9 A Yes.

10 Q Okay. So did you ever have a belief that this aid was not  
11 going to get released?

12 A I believed that it would because of both bipartisan support  
13 in Congress and the questionable sort of legality of OMB putting on  
14 an informal hold.

15 Q And if the hold wasn't ultimately released, there would have  
16 to be an effort, a rescission effort, a reprogramming, or some sort  
17 of complicated --

18 A That was a discussion among the people that, you know, sort  
19 of the legislative folks together with the legal folks and so forth,  
20 and there was a lot -- there were a lot of conversations about exactly  
21 what the mechanics of that might look like.

22 Q Okay. And were you involved in any of those discussions or  
23 were you on the periphery?

24 A I was on the periphery of those conversations.

25 Q Okay. But you had a genuine belief that this would get

1 worked out and the money would be released?

2 A Yeah, my hope was simply that it wouldn't become public in  
3 the meantime and undermine our Ukraine policy.

4 Q Okay. Do you remember when it did become public?

5 A My recollection is that it sort of became public gradually.  
6 So individual -- I think it was sort of individual Members of Congress  
7 or staff knew about it at various points. And then I recall that Kurt  
8 and I went and did a briefing at SFRC -- and I don't recall the date  
9 of that, but it would be in my notes, which I don't have -- in which  
10 we were asked about that. So we knew it was sort of inevitable that  
11 it was going to get out.

12 Q And do you remember when it did get out? There was I think  
13 an August --

14 A I don't specifically remember.

15 Q There was an August 29th Politico article talking about it.  
16 Do you remember if it had been public before then?

17 A I think it was sort of known among the circles that do Ukraine  
18 security assistance, sort of gradually, as I said. From July 18 on  
19 it was sort of inevitable that it was eventually going to come out.

20 Q I should correct myself, the article was on August 28th.  
21 Just for accuracy purposes, I'll add that.

22 And do you know if any Ukrainians knew about this or was this  
23 primarily U.S. officials?

24 A Two individuals from the Ukrainian Embassy approached me  
25 quietly and in confidence to ask me about an OMB hold on Ukraine security

1 assistance.

2 Q And when was that?

3 A I don't have those dates.

4 Q But it was before the August 28th time period, do you think?

5 A I believe it was, yes.

6 Q Okay. And these are -- and what did you -- what do you  
7 remember telling these folks?

8 A I remember telling them that I was confident that any issues  
9 in process would get resolved. And I knew [REDACTED]  
10 [REDACTED] that they had no  
11 interest in this information getting out into the public.

12 Q Okay. And did they call you together or was it two separate  
13 calls?

14 A Two separate. [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED] [REDACTED]

24 Q So it was two separate calls close in time? And I apologize  
25 if you can't remember this.

1 A Yeah, I don't --

2 Q I'm just trying to piece some of this together.

3 A Yeah, I don't remember specifically. I would say maybe  
4 about a weekish apart or something like that.

5 Q And you said that you went to brief the Senate Foreign  
6 Relations Committee with Ambassador Volker?

7 A Yes.

8 Q When was that?

9 A I don't remember the date. But I could -- I have it in my  
10 notes and I could report it to the committee later.

11 Q Okay. Did you brief any other congressional committees  
12 during that time period?

13 A No.

14 Q And what do you remember from the briefing with SFRC?

15 A That this was, if I recall correctly, that this was in  
16 preparation for a codel to Kyiv, that it was convened by [REDACTED]  
17 and that, unsurprisingly, the staffers were well-informed about  
18 Ukraine and were interested in what was happening and were just looking  
19 to get briefed.

20 Q Was it a briefing on the security assistance issue or was  
21 it a briefing about the codel where the security assistance had come  
22 up?

23 A It was mostly a briefing about the new Zelensky  
24 administration, Kurt's impressions of them, his travel to Ukraine, and  
25 what he was sort of taking away from his interactions with the new

1 President.

2 Q And just so you're sure, I wasn't asking you to go back and  
3 find the date.

4 A Oh.

5 Q I'm not going to give you homework here, so -- in case you  
6 made a -- I saw you make a note. So I'm not asking for that.

7 A I'm happy to, but --

8 Q I think we covered it.

9 MR. CASTOR: We have about 5 minutes left in our round, and I want  
10 to make sure that our Members have an opportunity to -- okay. It's  
11 good staff work to ask the Members if they want to ask questions, if  
12 I do say so myself. It's not a first time I've asked, though.

13 MR. GOLDMAN: No.

14 MR. MEADOWS: It's the first time I'm not interjecting.

15 BY MR. CASTOR:

16 Q I think we had discussed generally that Ambassador Volker  
17 was concerned Mr. Giuliani was amplifying a negative narrative about  
18 the current state of affairs in the Ukraine?

19 A Yeah. I mean, without speaking for Kurt, I think that's a  
20 fair assessment, yeah.

21 Q Do you think that Ambassador Volker believed that Mr.  
22 Giuliani had any, like, firsthand investigative experience about this  
23 or do you think he was just repeating issues that had been reported  
24 on?

25 A I don't know the answer to that question. We didn't talk

1 about it, so I couldn't tell you what his views were.

2 Q And did you ever discern whether this was an issue relating  
3 to Mr. Giuliani's, like, other clients, other than the President of  
4 the United States? Or did you have any idea about what Mr. Giuliani's  
5 passion was as it related to Ukraine?

6 A No. I would -- no, I have no idea.

7 Q Okay. Did Ambassador Volker ever communicate to you that  
8 he thought ultimately he would be able to convince the President that  
9 the negative narrative that Mr. Giuliani was amplifying could be  
10 corrected and, you know, wasn't in the best interest of the United  
11 States?

12 A I would say that Ambassador Volker is a deeply and profoundly  
13 optimistic person with high hopes for the future of Ukraine policy.  
14 So, you know, whether he accurately assessed the possibility or not,  
15 he projected a great deal of optimism about it.

16 Q Okay. And did he ever give you a readout -- they briefed  
17 the President after the inauguration, which is just before you came  
18 on board. Did he ever give you a readout of how that meeting went?

19 A You know, the readout that I had gotten was simply that the  
20 President continued to view -- and I knew this from my own personal  
21 experience -- continued to view Ukraine as a corrupt country. And  
22 Ambassador Volker had used -- had shared with me the same line that  
23 I believe he shared in his opening statement, which was, you know, they  
24 tried to take me down. So I had heard him say that previously.

25 Q Did Ambassador Volker tell you that the President referred

1 the delegation to Rudy to learn more or anything related to Rudy  
2 Giuliani?

3 A My understanding about the takeaway from the May 25 meeting  
4 with the President was that -- or the meeting following the  
5 May 25 -- when was the meeting?

6 Q I think it was May 23rd, was the Oval Office.

7 A I'm losing my dates here. But the Oval meeting was that  
8 Sondland, Volker, and sort of Perry, as a troika, or as the Three Amigos,  
9 had been sort of tasked with Ukraine policy.

10 Q Okay. And that was a tasking from the President or --

11 A From the President, yeah.

12 Q Okay. And did part of that tasking, to your understanding,  
13 include conferring with Mr. Giuliani?

14 A I believe I understood that Kurt had been asked to speak with  
15 Giuliani, but like I said, I asked no followup questions about that.

16 Q Okay. And my time is just about up. The terminology Three  
17 Amigos, what is that about? Like, when did you first hear the term?  
18 Like, who coined it? What do you know about that?

19 A Oh, gosh. I mean, I think that -- that, I think, came out,  
20 I mean, just sort of --

21 Q Was that just a term Ambassador Sondland liked to use?

22 A I think we were all sort of struggling to explain the very  
23 unusual sort of policy configuration that had been established to deal  
24 with Ukraine, and so that's sort of where some of these --

25 Q Did Ambassador Volker ever refer to himself proudly as part

1 of the Three Amigos?

2 A I don't --

3 Q If you can remember.

4 A It doesn't sound like something he would say. I don't think  
5 so.

6 Q Okay.

7 A I don't have any specific recollection either way.

8 MR. CASTOR: My time is up.

9 THE CHAIRMAN: It's my recommendation, because we have a second  
10 witness represented by the same counsel so we can't do these  
11 concurrently, that we work through lunch and have food brought in. We  
12 can take a short break so you can eat out of the committee room, but  
13 I will have food brought to you.

14 Do you want to take a quick break now, we're going to get  
15 45 minutes rounds, or do you want to take a break after the next  
16 45-minute round.

17 MS. CROFT: I think I'd like to take a very -- I can do it quickly,  
18 though --

19 THE CHAIRMAN: Why don't we take a --

20 MS. CROFT: -- because I don't want to draw this out. I could  
21 use a very short break.

22 THE CHAIRMAN: Let's take a 5-minute break, and this time let's  
23 try to make 5 minutes be 5 minutes.

24 MS. CROFT: Okay. Actually short. Okay.

25 THE CHAIRMAN: Okay.

1 [Recess.]

2 THE CHAIRMAN: Okay. Let's go back on the record. I just have  
3 a few questions before I turn it back to counsel.

4 I won't ask you to go into the changed circumstances on the ground  
5 in Ukraine between the Obama administration and the Trump  
6 administration.

7 The invasion of Ukraine took place while Barack Obama was  
8 President?

9 MS. CROFT: That's correct.

10 THE CHAIRMAN: And that was a very hot war initially?

11 MS. CROFT: Absolutely.

12 THE CHAIRMAN: And so over time the risk of escalation may have  
13 changed?

14 MS. CROFT: Absolutely.

15 THE CHAIRMAN: But I was struck by something you said during the  
16 Trump administration, and that was that it was very unusual for OMB  
17 to weigh in on a policy decision like the provision of Javelins to  
18 Ukraine. Why was that so unusual?

19 MS. CROFT: I had never heard of OMB injecting itself into a  
20 purely policy discussion or decisionmaking process. What struck me  
21 about it especially is, first, that that position was in contrast to  
22 all of the traditional foreign policy-making agencies long held and  
23 long expressed views. And, secondly, that the objection or concerns  
24 expressed were not related to the money, the budget part of OMB, but  
25 rather to the policy part of the decision.

1 THE CHAIRMAN: I see. Now, the decision is ultimately made to  
2 provide the Javelins in 2017, at the end of the year?

3 MS. CROFT: Uh-huh.

4 THE CHAIRMAN: You should say yes.

5 MS. CROFT: I'm sorry. Yes. Thank you.

6 THE CHAIRMAN: If we flash forward to 2019 and President Zelensky  
7 raising in the call with President Trump the desire, we're almost ready  
8 to buy more Javelins, would that have been the next increment of  
9 Javelins they would have received after the approval of the first  
10 Javelins at the end of 2017?

11 MS. CROFT: Yes.

12 THE CHAIRMAN: And I take it that the policy of the  
13 administration, at least as you understood it, between the first  
14 purchase and the second purchase that Zelensky referred to in that call  
15 hadn't changed. It was still the policy of the administration to  
16 provide Javelins.

17 MS. CROFT: Yes. I just want to be sort of clear on -- so the  
18 2017 decision related to I guess what would technically be a purchase  
19 but was in fact a provision using FMF, as we have discussed.

20 THE CHAIRMAN: Right.

21 MS. CROFT: Whereas, the more recent decision related to an  
22 actual purchase with Ukrainian national funds.

23 THE CHAIRMAN: Right.

24 MS. CROFT: Sorry.

25 THE CHAIRMAN: But the policy of providing defensive weapons

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1 either through funding that we provided or through a purchase didn't  
2 change. It was still the policy view that we should be providing  
3 Javelins to Ukraine to defend itself against Russia.

4 MS. CROFT: Between 2017 and 2019 that policy did not change.

5 Q Okay. So when President Zelensky brought up his interest  
6 in acquiring more Javelins and the President responded by saying, I  
7 want you to do us a favor, though, or words to that effect, it would  
8 have been up until that point of the conversation Zelensky's  
9 expectation that the policy hadn't changed and that they would be able  
10 to go forward with purchase of more Javelins?

11 MS. CROFT: In fact, the President had mentioned multiple times  
12 in the sort of immediate aftermath of the decision to provide Javelins  
13 in 2017 using FMF that Ukraine should be buying this from us. We  
14 shouldn't be giving it to them.

15 So we had relayed that to the Ukrainians under President  
16 Poroshenko. And it is my understanding that that process started then,  
17 and that Zelensky came into office viewing it as a do-out to the  
18 President.

19 THE CHAIRMAN: What do you mean by a do-out?

20 MS. CROFT: That his expectation was that Ukraine would go ahead  
21 and buy equipment from the United States, not just let us give them  
22 stuff.

23 THE CHAIRMAN: So responding to the President's comments on the  
24 first purchase of Javelins, President Zelensky was responding by  
25 saying, we're going to buy them this time and we're almost ready.

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1 MS. CROFT: That's correct. That's right.

2 THE CHAIRMAN: Nevertheless, was it within the President's power  
3 to say, I'm not going to sell them to you?

4 MS. CROFT: That's a good question, and I don't know that I can  
5 give you a very specific answer to it.

6 Technically, under the Obama administration there was no bar on  
7 the sale of weapons to Ukraine. The policy bar was only on the  
8 provision, or at least that's how I understood it at the time.

9 THE CHAIRMAN: I'm sorry?

10 MS. CROFT: Sorry, I can repeat that or wait.

11 THE CHAIRMAN: The President could decide, could he not, I may  
12 have the lawful authority to sell you these, but I'm still not going  
13 to sell them to you?

14 MS. CROFT: That's correct.

15 THE CHAIRMAN: My counsel is pointing out to me that the sentence  
16 before President Zelensky brings up the Javelins reads, I -- this is  
17 President Zelensky -- I would also like to thank you for your great  
18 support in the area of defense.

19 So at this point he's thanking him for what's already been done  
20 in the past. And what kind of support in the area of defense had the  
21 Trump administration provided up until that point? Would it have been  
22 the FMF that allowed them to buy the Javelins, among other things?

23 MS. CROFT: I believe so, yes.

24 THE CHAIRMAN: Okay. Let me jump ahead to your comments in  
25 response to my colleagues' questions in the minority.

1           When in July -- it was first, you know, sort of one of the meetings  
2 you said was blown up by the news that there was hold on the military  
3 assistance. This is now in 2019. I think you made a comment along  
4 the lines that it was inevitable that people were going to find out  
5 about this. Is that right?

6           MS. CROFT: That was my assessment at the time, yeah.

7           THE CHAIRMAN: News of this kind that there was a hold on this  
8 military assistance wasn't something that's going to be kept bottled  
9 up with as many people knowing about it as they did?

10          MS. CROFT: That's correct, yeah.

11          THE CHAIRMAN: And, in fact, I think you said that word of that  
12 got to the Ukrainians, and two Ukrainian officials from the embassy  
13 reached out to you quietly to ask you about this hold?

14          MS. CROFT: That's right.

15          THE CHAIRMAN: Now, you said that these two Ukrainian Embassy  
16 officials -- and I'm not going to ask you to identify them either -- you  
17 understood they had no interest in this becoming public. Is that  
18 right?

19          MS. CROFT: That's correct. That's correct.

20          THE CHAIRMAN: And why would they not want this to become public?

21          MS. CROFT: Because I think that if this were public in Ukraine  
22 it would be seen as a reversal of our policy and would, just to say  
23 sort of candidly and colloquially, this would be a really big deal,  
24 it would be a really big deal in Ukraine, and an expression of declining  
25 U.S. support for Ukraine.

1 THE CHAIRMAN: So Ukraine had every interest in this not coming  
2 out in the press?

3 MS. CROFT: As long as they thought that in the end the hold would  
4 be lifted, they had no reason for this to want to come out.

5 THE CHAIRMAN: So as long as they thought that they could work  
6 through whatever was causing the hold, they wanted this to remain out  
7 of the public attention?

8 MS. CROFT: Exactly.

9 THE CHAIRMAN: Okay. I'll yield to Mr. Goldman.

10 BY MR. GOLDMAN:

11 Q Following up on the conversations you had with the Ukrainian  
12 officials in the embassy here in D.C., I believe you said that you could  
13 not remember the dates of those conversations. Is that right?

14 A Yeah, I can't remember those specifics.

15 Q Were they on the phone or in person?

16 A They were in person.

17 Q Did you take notes?

18 A I don't believe I did take notes on those occasions.

19 Q Did you take notes after?

20 A I would have to review my notes to be certain, but I don't  
21 think I did.

22 Q Okay. And just on the topic of your notes, while we're  
23 there, you are still in possession of your -- the notes that you --

24 A Yes.

25 Q And did you review them before you came to testify here today?

1 A Yes, briefly.

2 THE CHAIRMAN: If I could, counsel, sorry.

3 Would your calendars indicate the dates in which you would have  
4 visited with Ukrainian officials.

5 MS. CROFT: No, but I believe if I dug through my emails and  
6 other -- and other, like, sort of electronic communications, I could  
7 probably find it, if that's of interest of the committee.

8 THE CHAIRMAN: Yes, it would be. Thank you.

9 BY MR. GOLDMAN:

10 Q And presumably these emails were turned over to the State  
11 Department at their request to gather documents related to this  
12 investigation?

13 A So my understanding is that the process in response to  
14 the -- the information request is that the bureau that handles our  
15 technology automatically looks through all of our email, so those are  
16 automatically available to the committee through that, whatever that  
17 process is, and I don't have visibility on it.

18 Separately, any of my communications that I've had with  
19 Ukrainians or Ambassador Volker or otherwise via WhatsApp, I have  
20 exported to the State Department system per State Department  
21 guidelines. Those would have been made available in the same fashion.

22 Q So they did collect your documents to respond to the  
23 subpoena, as far as you know?

24 A Separately, I made my handwritten documents all available  
25 in response to the subpoena.

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1 Q Now, I want to try to go through a couple of dates to try  
2 to jog your memory as to when these meetings might have been?

3 A Yeah.

4 Q Okay. You talked about an email that you sent to Bruce  
5 Swartz at OIA to set up a meeting with the AG. Do you recall whether  
6 your conversations with either of the Ukrainian officials happened  
7 before or after that meeting?

8 A I don't recall the sequence, I'm sorry.

9 Q Do you take any vacation in August?

10 A No.

11 Q Okay.

12 A Sorry. I was told I was allowed to take vacation as long  
13 as I could work anywhere that I was. So --

14 Q Do you have an approximate estimation of how far apart these  
15 two conversations were?

16 A With the two different Ukrainians? I thought it was roughly  
17 a week. But again, I can look up those dates and get back.

18 Q Okay. And the last question is, whether you know the date  
19 or not of when it became public, do you remember it becoming public?

20 A I honestly don't specifically remember when it was reported  
21 in the public.

22 Q But you remember at some point it became public?

23 A Yes, yes, I do remember that.

24 Q So do you recall how far before it became public you had these  
25 conversations, the second of the conversations?

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1           A    I remember being very surprised at the effectiveness of my  
2 Ukrainian counterparts' diplomatic tradecraft, as in to say they found  
3 out very early on or much earlier than I expected them to.

4           Q    In light of when it became public?

5           A    In light of when it became public.

6           Q    And last question. Do you remember if these meetings were  
7 before or after your briefing at SFRC?

8           A    I could only guess right now, and to say that it was before,  
9 but I'm not certain.

10          Q    Okay. That -- all right. Well, we would appreciate if you  
11 would try to look through your notes and emails and perhaps your  
12 attorney can send a letter to the committees identifying the dates of  
13 the meetings.

14                You mentioned that email to Bruce Swartz to set up a meeting with  
15 the Attorney General, and I believe you testified that you did not  
16 believe that Ambassador Volker met with the Attorney General himself.

17                Do you know whether Ambassador Volker met with anyone at the  
18 Department of Justice?

19           A    Other than attempts to connect him with Bruce Swartz,  
20 which -- I'm not aware of any other contact.

21           Q    So once you connected him after that, do you know whether  
22 there was any follow up from Ambassador Volker with the Department of  
23 Justice?

24           A    I just kept reminding Ambassador Volker to call Bruce Swartz.  
25 I have no idea what happened after that. So I don't -- I don't know.

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1 Q Why were you reminding him repeatedly to call him?

2 A Because he kept forgetting.

3 Q And Bruce Swartz said that he should call him?

4 A Yes, yes, Bruce Swartz had said, have him call me. And so  
5 I just kept telling Kurt, hey, remember to call Bruce.

6 Q And do you know what the request related to in any way?

7 A I inferred that it was interference in the 2016  
8 investigations, and I don't know remember exactly how I knew that, but  
9 that's what I relayed to Bruce in my email to him.

10 Q And around the time that you reached out to Bruce Swartz did  
11 you have a meeting with George Kent where you discussed whether there  
12 was an ongoing investigation in the Department of Justice related to  
13 the 2016 election?

14 A I believe we did have a brief pull-aside in which George  
15 relayed his concerns about sort of everything that was going on to me,  
16 but I don't -- I mean, that was on the margins of some other meeting,  
17 and I don't remember the specific date, I'm sorry.

18 Q No, I'm not asking for the date. I'm just -- you do  
19 remember --

20 A Yeah. I remember around what time that was.

21 Q Putting aside just for the moment the date of that  
22 conversation, was it close in time to when you reached out to Bruce  
23 Swartz?

24 A I expect it probably was, yeah.

25 Q And can you give us as much detail as you recall about the

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1 conversation you had with George Kent at the pull-aside?

2 A My recollection is that Kurt had asked me something along  
3 the lines of: Have we ever done an investigation like this before?  
4 Like an investigation before or something like that into, you  
5 know -- or, no, I'm sorry, I just want to make sure I get this exactly  
6 accurately.

7 I believe the question that Kurt asked me was: Have we ever asked  
8 another country to do an investigation for us before? And I think that  
9 I relayed that question to George, and that that prompted George, I  
10 think, to just express his displeasure at the role of sort of Rudiani  
11 and any involvement of the State Department in any conversations about  
12 investigations.

13 Q Did you mean Rudy Giuliani?

14 A What did I -- I'm sorry, what did I say? I'm getting tired.

15 Q I won't repeat it. It was a combination of names.

16 VOICE: You coined a new term.

17 MS. CROFT: I'm just going to sip my Coke for a second here.

18 BY MR. GOLDMAN:

19 Q What do you recall more specifically, as specifically as you  
20 can, George Kent saying to you in response to your inquiry of him?

21 A The message that I got back was, broadly, we should be staying  
22 out of this, we shouldn't have anything to do with it. And I knew him  
23 to be unhappy with the fact that Rudy Giuliani was playing -- I think  
24 I got it right this time -- any role in this process at all.

25 Q Did he understand that the question about investigations

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1 that you asked him related to Rudy Giuliani and what he had been  
2 advocating?

3 A I remember at the time asking the question in a very sort  
4 of generic sense, because the question as relayed to me wasn't about  
5 investigating anything in particular or anything specific. But the  
6 strength of George's reaction suggested to me that George was thinking  
7 of something much more specific when I asked the question.

8 Q And when he referenced Rudy Giuliani did you know --

9 A I'm not -- I'm sorry -- I'm not positive he referenced Rudy  
10 Giuliani by name or if he just referenced sort of this whole  
11 investigation situation, all of the conversations about investigation.

12 Q And what did you understand him to mean, whatever he said  
13 about the investigation?

14 A Yeah. What I understood him to mean was that he was very  
15 unhappy in the role that Rudy Giuliani was playing and that he was  
16 unhappy that Kurt was talking to Giuliani.

17 Q And these were -- did you understand more specifically what  
18 these investigations -- what the subject of these investigations were  
19 at that point?

20 A At that point I just understood it to sort of be broadly  
21 investigations into the 2016 elections. But the question that I was  
22 responding to from Kurt wasn't about anything specifically.

23 Q And when you say investigation into 2016 election, do you  
24 mean Ukraine --

25 A Ukrainian --

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1 Q -- interference?

2 A Ukrainian interference in the 2016 election.

3 Q And with George Kent at that meeting, did you discuss an  
4 investigation into Burisma or the Bidens?

5 A No.

6 Q Did you ever discuss with George Kent --

7 A No.

8 Q -- the specifics of the investigations?

9 A No.

10 Q To your recollection, is this the only conversation you had  
11 with George Kent about these investigations and Rudy Giuliani?

12 A To my recollection, yeah, that's the only conversation that  
13 we had.

14 Q Okay. Did you take notes of that conversation?

15 A No, it wasn't a planned meeting or conversation, it was just  
16 a pull-aside in the hallway or --

17 Q Understood.

18 A -- something like that.

19 Q If George Kent took notes of that conversation, would you  
20 expect them to be accurate, to accurately reflect what you discussed  
21 with him?

22 A Not necessarily.

23 Q And why is that?

24 A Not for any reasons of malice, but I know that George feels  
25 very strongly about these issues, and he has a lot of emotion tied into

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1 it, and so sometimes our perceptions of things aren't the same.

2 Q So he feels very strongly against any sort of political  
3 interference in foreign policy. Is that an accurate way of reflecting  
4 it?

5 A He feels very strongly in all aspects of our policy with  
6 regard to Ukraine.

7 Q Prior to your meeting with Mr. Kent, did you become aware  
8 at any point of a potential statement that the Ukrainians might put  
9 out related to a -- a potential statement about U.S. relations that  
10 the Ukrainians were considering to issue?

11 A I believe I only heard one passing reference to it as an  
12 outcome perhaps from a conversation between Kurt and -- I'm sorry,  
13 Volker and Sondland -- that I wasn't party to. But I believe that by  
14 the time I heard that passing reference it was well after the fact and  
15 well after a decision was made not to produce any sort of such statement.

16 Q Do you recall where you were when you heard that passing  
17 reference?

18 A I don't recall.

19 Q Were you in Kyiv in the --

20 A I don't --

21 Q -- July 26th?

22 A Oh, yeah, I was in Kyiv on July 26th, sorry.

23 Q No, no, is that when you heard this conversation, this  
24 passing reference?

25 A I don't think so. I think it was well after all of that.

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1 Q And what was the passing reference that you recall hearing?

2 A I think simply that it wasn't in Zelensky's interest to make  
3 a specific statement about specific investigations and tie himself to,  
4 you know, the outcome of U.S. domestic politics.

5 Q Who said that?

6 A Kurt did.

7 Q And how did Sondland respond?

8 A I wasn't party to that conversation, I just heard a reference  
9 to it.

10 Q Meaning Ambassador Volker referred to a conversation that  
11 he had previously had with Ambassador Sondland?

12 A I believe so. In the course of talking about something else  
13 he just made a reference to the fact -- or he might have been on the  
14 phone or something like that. I don't remember what it was. But I  
15 remember being surprised, because I wasn't aware of that conversation  
16 before that.

17 Q So --

18 A Which is why --

19 Q So you didn't hear the conversation between Ambassadors  
20 Volker and Sondland?

21 A Correct.

22 Q Got it.

23 A Not on the statement. Not that I recall.

24 Q You mentioned that YES conference?

25 A Uh-huh.

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1 Q Were you aware of any possibility that President Zelensky  
2 might do a CNN interview or another television interview at that YES  
3 conference?

4 A There was a lot of media at the conference. And, in fact,  
5 Ambassador Volker did quite a lot of media himself. I was not party  
6 to any specific, that I recall, any specific Ukrainian plans with regard  
7 to press conferences.

8 Q Do you remember Ambassador Volker discussing either with you  
9 or anyone else whether or not President Zelensky might do a television  
10 interview in that September timeframe?

11 A I don't have any specific recollection, but that's not  
12 something that would have stood out in that context, just because, like  
13 I said, it was a media-heavy event.

14 Q I want to go back now to the conversation that we ended on  
15 the last round where you were talking to Ambassador Taylor right before  
16 you left to Kyiv.

17 A Uh-huh.

18 Q And where we ended is that you were relaying to him -- or  
19 he was relaying to you, I think, what he had heard about the May 23rd  
20 Oval meeting from Ambassador Volker. Is that right?

21 A I'm so sorry, can you ask the question again?

22 Q Sure. In that meeting that you had with Ambassador Taylor,  
23 why don't you remind us what he told you that he understood occurred  
24 at the May 23rd Oval meeting?

25 A I'm not sure that we discussed the May 23rd Oval meeting when

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1 I spoke with Ambassador Taylor. What I recall him saying was that he  
2 broadly supported what Ambassador Volker was trying to do, which was  
3 relevant to my job.

4 Q And what was that?

5 A To advance U.S.-Ukraine relations in a positive direction,  
6 Increase U.S. support for Ukraine, whether it would be security  
7 assistance or diplomatic means, and then to go somewhere positive in  
8 terms of our negotiations -- or the Minsk -- negotiations on the  
9 conflict in eastern Ukraine, and then also to continue rallying  
10 European support for Ukraine.

11 Q Understood. And you've mentioned this a couple times, I  
12 just want to say something at this point.

13 A Sure.

14 Q We fully understand that the vast majority of your job had  
15 nothing to do with the questions that we're focused on here today. So  
16 we understand that most of your conversations would relate to other  
17 things.

18 A Uh-huh.

19 Q We are obviously interested in a particular aspect of your  
20 experience, and so that's why we're asking these questions. We fully  
21 understand that there would be other things that you would discuss,  
22 particularly with Ambassador Volker.

23 So in the context of your discussion with Ambassador Taylor  
24 related to Ambassador Volker, did anything related to these  
25 investigation narratives, Rudy Giuliani, Ambassador Taylor's

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1 concerns, arise in connection with Ambassador Volker?

2 A In connection with Ambassador Volker, no. I think we were  
3 both very confident that we understood what Ambassador Volker's views  
4 were on U.S. interest in Ukraine, and that they were, as I said,  
5 advancing U.S. interests.

6 Q When you were in Kyiv for the month of June, did you have  
7 any discussions with Ukrainian counterparts about these investigations  
8 that were in the media at that point?

9 A I did not, no.

10 Q Did you have any discussions with your colleagues about  
11 conversations they may have had with Ukrainians about these  
12 investigations?

13 A No.

14 Q Were you aware of whether or not, you know, that these  
15 were -- these investigations were a consideration of President  
16 Zelensky and his senior team when you were in Kyiv?

17 A I have no recollection of that being the case.

18 Q When did Ambassador Taylor arrive in Kyiv?

19 A Mid-June, I don't know the specific date, but about halfway  
20 through my time there.

21 Q And for the time that he was there until the end, did you  
22 have any discussion with Ambassador Taylor about any of the issues that  
23 we've been discussing here today?

24 A No. I think my only conversation with Ambassador Taylor was  
25 about the morale at the embassy.

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1 Q In --

2 A In Kyiv.

3 Q In connection to what was going on with U.S. policy or just  
4 broadly?

5 A In connection to the impact of Ambassador Yovanovitch's  
6 departure, and the circumstances around that, and the hit that that  
7 took to morale in the embassy, and the impact of Ambassador Taylor's  
8 arrival.

9 Q Were you aware of a -- so how frequently were you meeting  
10 or talking to Ambassador Taylor when you were over there?

11 A Not frequently. We just encountered each other in the  
12 hallway.

13 Q But you didn't have any sort of --

14 A No.

15 Q -- official meetings or discussions about policy or other  
16 things that are going on?

17 A No. I don't think we had any real one-on-ones after  
18 that -- after his arrival.

19 Q You arrived in D.C. on the 1st of July.

20 A No, I'm sorry, I departed Kyiv on the 1st of July. I made  
21 a stop in Brussels and in Vienna on my way back.

22 Q Okay. When did you return to D.C.?

23 A My first day on the job was July 8. I think I returned the  
24 7th, if that's correct.

25 Q Did you learn whether -- well, did you learn that Ambassador

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1 Volker had gone to a conference in Toronto in early July?

2 A Yes.

3 Q Do you know who else was there from the U.S. Government?

4 A I know Christopher Anderson was there.

5 Q And did you discuss this conference with Mr. Anderson?

6 A Not in great detail, but yes.

7 Q Were you aware of whether or not Ambassador Volker had a  
8 private meeting with President Zelensky?

9 A Yes, I understood that he had, yes.

10 Q And what did you understand about that meeting?

11 A Only Ambassador Volker's assessment of President Zelensky  
12 and his intentions with regard to reforms and so forth, the things I've  
13 talked about before.

14 Q What do you mean by that?

15 A That Ambassador Volker took away from that meeting that he  
16 was impressed with President Zelensky, he was impressed with the  
17 seriousness, and that he was serious about combating corruption.

18 Q And that was pretty much the unanimous view of everybody who  
19 met him. Is that right?

20 A That's my understanding.

21 Q And that's what you heard when you were in Kyiv in June?

22 A In Kyiv, I think there was a lot more sort of wariness about  
23 Zelensky's ties to this oligarch, Kolomoisky, and his appointment of  
24 Bogdan, who was Kolomoisky's lawyer. I mean, I can go into it, but  
25 I don't know how interesting that is to you. There was a little more

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1 skepticism in Kyiv.

2 Q But you also understood that Zelensky had acted on some of  
3 his promises of reform very quickly. Is that right?

4 A Yeah, he set a very ambitious reform agenda right at the jump.

5 Q Do you know whether or not -- were you informed at all that  
6 Ambassador Volker had discussed these investigations with President  
7 Zelensky at that pull-aside in Toronto?

8 A I would not have been aware of that. I was -- I am not aware.

9 Q Mr. Anderson did not relay that to you?

10 A No.

11 Q You've discussed that July 10th meeting in the Oval with  
12 Ambassador Bolton, and you got a readout [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED]

16 And you also said that there was a discussion of whether or not  
17 there would be an Oval Office meeting?

18 A So that was my understanding of the goal of that meeting.  
19 I don't know what specifically was said about an Oval.

20 Q And who gave you this readout?

21 A Kurt did in the context of the meeting that we had after with  
22 the German National Security Advisor, Hecker.

23 Q Meaning how it would affect Germany or --

24 A Right, because the Germans and French are sort of the  
25 negotiators, along with Ukraine and Russia, in terms of resolving the

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1 situation in the east.

2 Q And did you get any detail about the discussion with  
3 Ambassador Bolton and Danylyuk and any of the Ukrainians about that,  
4 the White House meeting?

5 A Not anything that would sort of pertain to this. Sort of  
6 just impressions of Andrey Yermak, impressions of Danylyuk,  
7 impressions of how serious they were about reforms, all the sort of  
8 normal stuff.

9 Q So Ambassador Volker did not tell you any details about the  
10 discussion about getting a White House meeting?

11 A Only that they were making the case for it.

12 Q Who was making the case for it?

13 A The Ukrainians and Kurt and everyone else. We understood  
14 that Bolton also favored getting the meeting.

15 Q And did you -- did Ambassador Volker say anything to you  
16 about anything that Ambassador Sondland said at that meeting?

1 [11:33 a.m.]

2 MS. CROFT: No.

3 MR. GOLDMAN: Now you were in Kyiv --

4 THE CHAIRMAN: Before you go on with that topic, if I could just  
5 follow up.

6 So when Ambassador Volker gave you a readout on that July 10  
7 meeting, did he tell you anything about why it ended abruptly?

8 MS. CROFT: No.

9 THE CHAIRMAN: So the only feedback you got was [REDACTED]  
10 [REDACTED], but nothing about what might have upset  
11 Mr. Bolton?

12 MS. CROFT: No, nothing about that, but I would also note that  
13 we were with the Germans at the time.

14 THE CHAIRMAN: So this would not have been a suitable place for  
15 Ambassador Volker to tell you about things that happened in that meeting  
16 that were irregular, to put a diplomatic term on it.

17 MS. CROFT: Right.

18 THE CHAIRMAN: Mr. Goldman.

19 BY MR. GOLDMAN:

20 Q In this -- well, are you aware that Fiona Hill left the NSC  
21 in mid-July?

22 A Yes, late July.

23 Q Do you know the date?

24 A I thought it was the transition with her successor was the  
25 week of that, the week that ended with that phone call so that same

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1 week of July 25th, that was my -- that's my recollection.

2 Q Did you -- she was your former boss at the NSC?

3 A Right, uh-huh.

4 Q Did you have any conversations with her after you took this  
5 job as a special assistant?

6 A I sent her a note after I took the position just to say that  
7 I took it and she said congratulations, that's it.

8 Q So when you were back in D.C. in July and before she left  
9 you didn't have any conversations or meetings with her?

10 A I went to her farewell, but we didn't talk about Ukraine  
11 policy.

12 Q Now, you said that the -- you were in Kyiv around the time  
13 of the July 25th call, and there was a meeting on the 26th with President  
14 Zelensky, Ambassadors Volker, Sondland, and Taylor, and a note taker  
15 and an interpreter, is that right?

16 A Yes.

17 Q Was there a premeeting that you attended before that?

18 A We attended a meeting chief of staff Bohdan.

19 Q Did you discuss the White House meeting at that meeting?

20 A Yes, yes.

21 Q And what was the nature -- can you describe with as much  
22 detail as you can what that conversation entailed?

23 A It was about the prospect for some sort of touch in Warsaw,  
24 as well as a potential for a meeting on the sidelines of the U.N. General  
25 Assembly. And the Ukrainians, as I recall, were pushing to have an

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1 Oval meeting somewhere around, immediately before or after UNGA. And  
2 we were sort of -- or Kurt was counseling them that that almost -- you  
3 know, that an Oval meeting would be better diplomatically than a meeting  
4 on the margins of UNGA, and that the dates are too close to each other,  
5 then it could look like they are not getting their own Oval meeting,  
6 but rather, they happened to be in town. Is that responsive?

7 Q Understood, yes. Was -- this meeting was the day after the  
8 call, right?

9 A Yes.

10 Q And did Bohdan mention anything about the call?

11 A He said it was a very good call, very positive, they had good  
12 chemistry, so the readout that I got was just that it was good.

13 Q And by that point, had you gotten a readout from any of the  
14 ambassadors?

15 A No. So that meeting was the prebrief for the meeting with  
16 Zelensky. So the only readout that I got was the one from Ambassador  
17 Taylor based on the meeting with Zelensky so that was after that.

18 Q Understood. And at the premeeting, was there any discussion  
19 of investigations?

20 A I don't recall that there was. I can double-check my notes,  
21 but I don't think so.

22 Q And then -- and so you think you did take notes?

23 A I did take notes at that meeting, and I supplied them pursuant  
24 to the request.

25 Q So the meeting with President Zelensky happened and you're

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1 not there?

2 A Correct.

3 Q But you then describe a readout of that meeting that you got  
4 from who?

5 A From Ambassador Taylor, with Ambassador Volker.

6 Q And where were you when you got this readout?

7 A Squished between the two of them in the back of a car on our  
8 way to the airport, and I was very car sick. It was very tight.

9 Q Were you able to take notes if you were squeezed in there?

10 A I tried, but I got really sick so I had to stop.

11 Q Did you review those notes before you came today?

12 A I -- I did.

13 Q And so you described a little bit about that conversation.  
14 You said you didn't specifically recall anything related to Burisma  
15 or the Bidens, or whether that came up in the conversation with  
16 Zelensky. But you did say is that right, that Ambassador Taylor said  
17 that President Zelensky told them that President Trump had mentioned  
18 investigations? Is that an accurate --

19 A So in reviewing my notes, what I saw was a reference to three  
20 questions, and quote no mention of B. My recollection, I believe, is  
21 that my note about three questions is that that was the President  
22 raising investigations, but I can't say that with 100 percent  
23 certainty. And separately my note to myself about no mention of B,  
24 I honestly do not remember if that was Barr, Biden, or Burisma.

25 Q And why would it be Barr?

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1           A    Because I -- there had been talk at some point about the  
2 Attorney General making a visit to Kyiv.

3           Q    But you think it is one of three, either Barr, Biden, or  
4 Burisma?

5           A    I'm guessing it was one of the three.

6           Q    And you said there were three questions that you understood  
7 to be questions related to investigations?

8           A    That the President had raised investigations multiple times.

9           Q    So --

10          A    I think that that is my memory of what is in my notes but  
11 honestly, like I said, A, the circumstances were not ideal, and B,  
12 that's not really what I was listening for.

13          Q    Understood. So you do recall -- you believe that the  
14 reference to three questions was that the President raised  
15 investigations three times?

16          A    I believe so.

17          Q    And then your note right underneath that is no mention of  
18 B?

19          A    Correct, correct.

20          Q    They are close in proximity?

21          A    Yes.

22          Q    So as you sit here today, you don't remember whether the B  
23 related to those investigations?

24          A    I don't specifically remember what the B related to. But  
25 in reviewing my notes, my impression is that it would have been either,

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1 likely Biden or Barr, or maybe Burisma, but I'm not certain.

2 Q By that point, you were aware of this desire from some people  
3 in the United States for Ukraine to initiate these investigations? Is  
4 that right?

5 A Yes.

6 Q And you understood that these investigations one related to  
7 the potentially Ukrainian interference in the 2016 election. Is that  
8 one of them?

9 A Yes, yes.

10 Q And what was the other one that you understood?

11 A Into potential sort of Ukraine support for Bidens or some,  
12 you know, sort of idea, some conflict of interest or something like  
13 that, Biden and Burisma.

14 Q So you understood that Biden and Burisma were the same  
15 investigation?

16 A Yes.

17 Q And by that point, July 25th, you knew that whatever -- did  
18 you understand that whatever investigation was being advocated for  
19 Burisma related to Joe Biden?

20 A Correct, yes. So regardless whichever B that is, sort of --

21 Q Understood. You said that you, at some point, thanked  
22 Ambassador Volker for keeping you out of the mess, I think is your quote,  
23 related to Rudy Giuliani. Is that accurate?

24 A Yeah, I don't know if I specifically used the word "mess,"  
25 but just general business, yes, with Giuliani.

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1 Q And you don't have a specific recollection as to when that  
2 conversation was?

3 A I do not, no.

4 Q Was it before this trip to Kyiv for where you met with  
5 Zelensky on July 26th?

6 A If I had to guess, I would say probably, but I don't  
7 specifically remember.

8 Q And so, you believe -- probably you said you believe that  
9 Ambassador Volker was in touch with Mr. Giuliani prior to the July 25th  
10 call?

11 A Yes, yes.

12 Q You feel pretty confident about that?

13 A Yeah, I heard about it, like I said, earlier on. The first  
14 I heard about it was as soon as I got back from Ukraine.

15 Q When you were in Ukraine --

16 A Sorry, in June. After my June trip to Ukraine, I made a lot  
17 of trips.

18 Q You heard about it pretty soon after you started the job --

19 A Exactly, exactly.

20 Q And what did Ambassador -- what did Ambassador Volker  
21 respond when you said, Thank you for keeping me out of the Giuliani  
22 thing?

23 A Nothing necessarily. It's sort of a non specific  
24 affirmation.

25 Q When you were in Kyiv around that July 25th, 26th period,

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1 did you overhear any mention of Mr. Giuliani from any of the  
2 ambassadors?

3 A Not that I specifically recall, but that doesn't mean, I  
4 didn't.

5 Q Okay. Were you aware of whether Ambassador Sondland had  
6 spoken to President Trump while he was in Kyiv around that time?

7 A I believe that he either did or intended to speak with the  
8 President after his call with Zelensky.

9 Q And do know whether -- did Ambassador Sondland ever talk  
10 about having conversations with chief of staff Mick Mulvaney?

11 A Yes, I understood Ambassador Sondland to be in touch with  
12 Mick Mulvaney.

13 Q How did you understand that?

14 A From his staff.

15 Q Whose staff?

16 A I'm sorry. From Ambassador Sondland's staff.

17 Q What did they say to you?

18 A Just that he has contact with Mick Mulvaney and that he  
19 somehow knew him. But I didn't have specifics on that.

20 Q And who is the staff member?

21 A So it transitioned while I was in this position, his chief  
22 of staff, when I started, was [REDACTED] and then there was  
23 a transition to [REDACTED], both Foreign Service  
24 officers.

25 Q After this, I just have 1 minute left. After this trip to

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1 Kyiv, did Ambassador Volker ever discuss with you that Rudy Giuliani  
2 was meeting with Ukrainians officials, including Andre Yermak?

3 A Not that I specifically recall. I think I read about it in  
4 the newspaper, along with everybody else. I knew that -- I knew that  
5 Ambassador Volker was directly in contact with both Giuliani and with  
6 Yermak and, in fact, Kirk -- or Ambassador Volker talked to Andrey  
7 Yermak regularly.

8 Q Do you know if he spoke to Andrey Yermak right before the  
9 July 25th call?

10 A I would be surprised if he didn't. I think they spoke very  
11 frequently to such an extent that I wouldn't have been aware of every  
12 single time they talked at all.

13 Q And do you know whether they had any conversations other than  
14 resolving the conflict in the east?

15 A I don't remember if I had -- like I said, Kurt kind of kept  
16 me out of that channel of communication. So I don't recall having any  
17 conversation with Kurt about his conversations with Yermak, other than  
18 about trying to get an Oval and the conflict, and, sort of, what their  
19 plan was for resolving the conflict in the East. Also, Yermak had a  
20 role in the big prisoner exchange that happened so they would have  
21 talked about that I would imagine.

22 Q Did you intentionally try to keep yourself removed from  
23 Ambassador Volker's activities related to what we call the other  
24 channel?

25 A The Giuliani channel.

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1 Q The Giuliani channel.

2 A Yes. I deliberately stayed out of that.

3 Q And did he respect that?

4 A Yes.

5 MR. GOLDMAN: Our time is up.

6 THE CHAIRMAN: Our time is up. What I would suggest is that we  
7 take a 15 minute break, so you can eat, we have food for you. Let's  
8 try to resume promptly at 1:05. And just for our member's planning  
9 purposes, we'll go to 45 minutes for the minority. When we return to  
10 the majority we'll go to our members for further questions. So we're  
11 in recess until 1:05.

12 [Recess.]

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1 [1:16 a.m.]

2 THE CHAIRMAN: Let's go back on the record. Forty-five minutes  
3 to the minority.

4 BY MR. CASTOR:

5 Q Thank you. Welcome back. Hope you had a delicious lunch.

6 A Yes. Thank you for providing it.

7 Q That was certainly not me, that was Chairman Schiff and the  
8 majority.

9 A Thank you to Conrad.

10 Q I just have a couple of questions and then our Members do  
11 have some ones for you.

12 You'd mentioned the influence of the oligarch Kolomoisky on  
13 President Zelensky and the concern as to whether President Zelensky  
14 would influenced by him when he assumed the Presidency. Can you tell  
15 us what you know about that?

16 A Nothing necessarily more specific than what's in the press.  
17 But Kolomoisky owned the 1-Plus-1 (ph) television channel that  
18 Zelensky's television show was on, and then subsequently hired  
19 Kolomoisky's attorney as his chief of staff.

20 Q Okay. And his attorney, did you say his name was Bogdan?

21 A Yes.

22 Q Does he remain as chief of staff?

23 A Yes.

24 Q Okay. And was there ever any discussion among your  
25 interagency partners about monitoring that situation to see if

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1 Kolomoisky's influence would have a negative effect on Zelensky?

2 A I think not just among my interagency colleagues, but sort  
3 of globally everybody who's watching Ukraine is watching that situation  
4 quite closely.

5 Q And since he assumed the Presidency in May, what's been your  
6 assessment of Kolomoisky's influence on Zelensky?

7 A Mixed record. We were fairly confident I think until about  
8 mid-September that Zelensky was genuine in his commitment to combat  
9 reform -- I'm sorry, combat corruption and remain independent of  
10 Kolomoisky.

11 But Kolomoisky's appearance at the YES conference in  
12 mid-September, combined, you know, with some not as strong as like -- as  
13 we would like to see messages on the future of PrivatBank, have at least  
14 raised I think yellow flags among those of us in the Ukraine policy  
15 community.

16 Q In your time working with Lieutenant Colonel Vindman, did  
17 you ever notice that he was not as involved in things -- not as involved  
18 with things as you may have been when you were serving in the same role?

19 A I think from my vantage point, Alex -- sorry, Lieutenant  
20 Colonel Vindman was very engaged.

21 Q Okay. So you never witnessed him being cut out of things?

22 A I think you're referring to sort of the Giuliani, sort of  
23 Volker conversations. I wouldn't have had visibility on that in the  
24 first place.

25 But in terms of the normal policy process, he was very engaged

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1 and, in fact, drove a very, very intense Ukraine policy agenda.

2 Q What do you mean by intense Ukraine policy agenda?

3 A Lots of meetings and lots of taskings out of each of those  
4 meetings.

5 Q And who was he tasking?

6 A The interagency, as a director at the NSC normally would,  
7 so State, DOD, et cetera, et cetera.

8 Q And so he was having State Department officials perform  
9 certain tasks or assignments? Or what do you mean by drive?

10 A He convened a regular -- very regular schedule of sub-PCCs  
11 and PCCs on Ukraine to check in on our engagement to Ukraine, our Ukraine  
12 policy, and to sort of drive the overall work of the interagency.

13 Q Did Lieutenant Colonel Vindman ever express concerns to you  
14 about the 7/25 call?

15 A We never spoke about it.

16 Q You indicated that you went to Dr. Hill's farewell party?

17 A Yes.

18 Q Did she express any concerns during the course of the event  
19 about her current situation, about Ambassador Bolton or the President  
20 or why she was leaving?

21 A I think that she was less than thrilled with the  
22 circumstances of her departure. I think she wanted to leave on her  
23 on terms and she might have felt a bit edged out.

24 But we never had any very direct conversation about that, just  
25 sort of I got that sense from that conversation. But we did not discuss

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1 policy at any point during that event.

2 Q Who was she edged out by?

3 A Her replacement was Tim Morrison, as you know.

4 Q So Mr. Morrison had edged her out is your understanding?

5 A I think she didn't feel like she got to leave at the time  
6 that she wanted to, and so --

7 Q And that was something driven by Ambassador Bolton?

8 A I don't know. I don't know the answer to that question.

9 Q Okay. Did she express any concerns about the President at  
10 her farewell party?

11 A No, we didn't talk about anything like that at the party.

12 Q Okay. That didn't come up?

13 A No, no.

14 MR. CASTOR: Mr. Meadows.

15 MR. MEADOWS: Thank you, Ms. Croft.

16 I've been, as you were going through, whether it's questions by  
17 the majority or the minority, we've -- I've been tracking with you,  
18 and I love the foreign policy. I love the fact that you call balls  
19 and strikes and it is yes/no. It's refreshing. And I just want to  
20 say thank you.

21 The other thing that I want to say thank you is you have been the  
22 expert on Ukraine policy during probably one of most difficult times  
23 as a student of foreign policy, one of the most difficult times if you're  
24 going to be a Ukraine expert. Your tenure has been at a critical,  
25 critical time. And so to be able to manage that, I just want to say

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1 thank you. Our world is a safer place obviously because you have been  
2 willing to serve. I want to acknowledge that as we go.

3 And what I'd like to do is kind of just go in a little bit of reverse  
4 order and maybe at a 10,000-foot level, so I'm not going to drill down  
5 quite as close to some of the other questions that have happened.

6 Russia invades Crimea when?

7 MS. CROFT: Spring of 2015.

8 MR. MEADOWS: The spring of 2015. At what point were you in  
9 charge of Ukraine's -- the expert in terms of Ukraine policy?

10 MS. CROFT: So as I said in my opening statement, so I was covering  
11 Ukraine at NATO in August -- from August 2013 until, I think, Januaryish  
12 2015. Because of the events surrounding Ukraine I was pulled into the  
13 front office. So I continued to track Ukraine from the perspective  
14 of our U.S. mission to NATO, but then from the ambassador's office as  
15 opposed to from the political section.

16 MR. MEADOWS: So at this critical time, Russia comes into Crimea,  
17 you get pulled in as the expert, and says, you know, golly, fix this  
18 problem with a superpower invading Ukraine.

19 MS. CROFT: Well, at the time I was a second tour political  
20 officer, but I was doing my best.

21 MR. MEADOWS: And so as you come in, I know -- well, so let me  
22 ask the question. Was there a lot of back and forth in terms of what  
23 the proper response would be? You've got Russia being the aggressor,  
24 you've got Ukraine on the defense, you have at that time, I believe,  
25 the belief that Russia may even come further than where they are today.

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1 Was there a whole lot of back and forth?

2 MS. CROFT: If you mean within the U.S. interagency --

3 MR. MEADOWS: Yes.

4 MS. CROFT: -- or among NATO allies, I would say both are true.

5 MR. MEADOWS: Both are true.

6 MS. CROFT: Both are true. Both are true.

7 I think, from my perspective in Brussels, it took a while for us  
8 to have a very clear sense of exactly what was happening, not just in  
9 Crimea, but also in eastern Ukraine.

10 As we all know looking back on it, Russia was sort of sending in  
11 what we now refer to as sort of the little green men to take this  
12 territory. And since we hadn't seen anything quite like this before,  
13 it took a while for us to figure out -- and I say us, the United States,  
14 but also our NATO allies -- to figure out exactly what was happening  
15 and how we were going to respond.

16 MR. MEADOWS: In fact, we had not seen it for decades. And so  
17 this was kind of a resurgence of Russian aggression, even though in  
18 their mind all they were doing was annexing a Russian part of Ukraine.  
19 Would you agree with that assessment?

20 MS. CROFT: Except to the extent that this did mirror some of what  
21 was happening, of course, in Abkhazia and South Ossetia in Georgia,  
22 as well as arguably what's happening -- what was happening before that  
23 in Transnistria in Moldova.

24 MR. MEADOWS: Okay. And so would it be fair to say that everybody  
25 in the region, not just our NATO allies, not just the U.S., but everybody

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1 in the region was very nervous as to where this, I will use the term  
2 politely, acquisition would ultimately stop?

3 MS. CROFT: Absolutely, I think that's fair to say.

4 MR. MEADOWS: Okay. And so as we looked at that, our U.S. policy  
5 in trying to figure out a deterrent that did not get us into a superpower  
6 war between two nuclear powers was probably the question of the day.  
7 Is that correct?

8 MS. CROFT: I think that's accurate to say, yes.

9 MR. MEADOWS: So as they're relying on your expertise, here you  
10 are, you've been at NATO, now you're in the U.S. trying to help us do  
11 this, the idea of foreign assistance for Ukraine and how we can  
12 essentially show support for Ukraine without doing a direct  
13 confrontation with the Russians, was that part of the calculus?

14 MS. CROFT: Yes, I think so.

15 MR. MEADOWS: And so when you looked at this under the previous  
16 administration, because you've served in both this administration and  
17 the previous administration, so as they started to do that, would you  
18 say that there was an agreement among the agencies in terms of what  
19 they believed the best nonlethal deterrent to be?

20 MS. CROFT: In terms of the nonlethal deterrence, I can't speak  
21 to sort of -- I think it evolved over time, but I think we landed on  
22 the idea that the best nonlethal deterrent was our training efforts  
23 and our efforts at defense reform, so building the capacity, if you're  
24 talking in strictly the security sense, in the military --

25 MR. MEADOWS: Yeah, because you didn't focus as much on the

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1 economic or anything else.

2 MS. CROFT: Correct.

3 MR. MEADOWS: So on some of the defense side of things.

4 MS. CROFT: The defense side, yes.

5 MR. MEADOWS: So giving additional foreign aid for defense was  
6 certainly on the table and something that was widely supported. Is  
7 that correct?

8 MS. CROFT: Yes, yes.

9 MR. MEADOWS: So as that was widely supported, and as we looked  
10 at that, it has been suggested by you and by other people that this  
11 aid, as it gets approved, you know, there are certain reforms that have  
12 to happen within the Ukrainian Government.

13 Would you say that sometimes those reforms were more of a footnote  
14 than they were the very top thing, that they were a box we had to check,  
15 but we really looked more from a national security standpoint instead  
16 of saying fix corruption or you're not going to get the aid, because  
17 that would be more of a secondary theme?

18 MS. CROFT: I guess it depends on which conditionality you're  
19 talking about, whether it's the sort of broader conditionality as tied  
20 to our -- tied to our general economic aid or specifically the defense  
21 reforms.

22 MR. MEADOWS: Yeah, I'm going to stick strictly with defense,  
23 because I think that that's the crux of why we're here today, is more  
24 of a defense mode, putting aside the loan guarantee of Joe Biden and  
25 pulling that back out, because that was actually a different type of

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1 assistance.

2           Wouldn't you agree with that? The Joe Biden thing is a -- it was  
3 not military assistance as much as it was loan guarantee. Is that  
4 correct?

5           MS. CROFT: I believe the conditionality that you're talking  
6 about that was related to the loan guarantee, yes, that was a separate  
7 conditionality.

8           MR. MEADOWS: So if we focus just strictly on the military side  
9 of things, take me back to 2015-16. What were we doing at that  
10 particular point? Were we saying we were going to provide -- well,  
11 were Javelins off the table at that point or did you all discuss Javelin  
12 support, which would be --

13           MS. CROFT: I'd sort of have to break it down package by package.

14           So we did these sort annual reviews with Ukraine and with our  
15 international partners where we established, you know, what from a  
16 policy perspective made the most sense to do with the money that  
17 Congress was supplying for the Department -- for State and DOD to be  
18 able to sort of help Ukraine build its defense capacity.

19           The conversations about whether that should include defensive  
20 weapons were ongoing, and I couldn't speak to necessarily specific  
21 packages, specific times, without sort of going back through notes.

22           MR. MEADOWS: Right. So the defensive methods that you're just  
23 now mentioning -- and for our purposes I'm going to just say Javelins,  
24 okay -- so the discussions under the previous administration as it  
25 relates to whether Javelins should be provided or not was a back and

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1       forth. It said, well, should we do it, should we not?

2               And I believe from your earlier testimony you said ultimately they  
3       decided not to give Javelins just because they were concerned about  
4       the message that Russians might see that as provocative. And  
5       "provocative" is my word.

6               MS. CROFT: Yeah, I would say -- I would say, just to be very  
7       specific in terms of language or very precise in terms of language,  
8       that the Ukrainian request for Javelins was not approved under the Obama  
9       administration and discussions included concerns about the Russia  
10      reaction.

11              MR. MEADOWS: All right. And so did you agree with that  
12      decision? Were you advocating for Javelins or against Javelins?

13              MS. CROFT: I was advocating for Javelins --

14              MR. MEADOWS: Okay. And so you --

15              MS. CROFT: -- personally, but in my role.

16              MR. MEADOWS: Personally. As the Ukrainian expert you were  
17      advocating for Javelins and the administration said -- ultimately said  
18      no.

19              MS. CROFT: Ultimately said no. I was one of many Ukraine  
20      experts advocating for Javelins. But, yes.

21              MR. MEADOWS: All right. So you're saying most of the Ukrainian  
22      experts were advocating for Javelins.

23              MS. CROFT: I think broadly the Ukraine policy community that I  
24      worked with was in favor of that decision.

25              MR. MEADOWS: All right. So broadly they were in favor of that.

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1           So then we fast forward a little bit to now 2017 and that issue  
2 comes up again. You're saying, okay, we've got a new administration,  
3 so now we're going to take another try at getting defensive weapons,  
4 even though the threat was probably not as great as it was under the  
5 Obama administration, just because we were so uncertain.

6           Is it correct or -- let me ask this. Is it correct to say that  
7 the advance of Russian military forces and the uncertainty of that was  
8 greater in 2015 and '16 than it would be in 2017 and 2018?

9           MS. CROFT: I would say that the line of contact here, to your  
10 question, the line of contact was relatively static by 2017 [REDACTED]

11 [REDACTED]  
12 [REDACTED].

13           MR. MEADOWS: All right. And so -- but you still thought it was  
14 important that we provide Javelins as a defensive message as a deterrent  
15 to possible Russian aggression?

16           MS. CROFT: Yes.

17           MR. MEADOWS: And so as you put forth that early on in the Trump  
18 administration, essentially within 12 months that determination had  
19 been made that, yes, we will change U.S. policy and to allow for  
20 defensive weapons. Is that correct?

21           MS. CROFT: Yes. I started in July and the decision was taken  
22 in December.

23           MR. MEADOWS: Okay. Were you surprised by that decision?  
24 Because it's a real shift, I mean, and it's a substantial shift, from  
25 a foreign policy guy, it's a real substantial shift that obviously made

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1 headlines at the time.

2 MS. CROFT: It was a big decision. I was very happy about it.  
3 I don't know if I was surprised or not, but I was happy with the decision.

4 MR. MEADOWS: But you were happy about it.

5 MS. CROFT: Yes.

6 MR. MEADOWS: All right. And so we have no Javelins under the  
7 previous administration. We have a decision for Javelins to move  
8 forward. And this is in spite of what I think you characterized earlier  
9 a deep-seated concern by the President that the Ukrainians were a  
10 corrupt country.

11 MS. CROFT: Yes.

12 MR. MEADOWS: And so did you hear on more than one occasion that  
13 the President felt like the Ukrainian Government was corrupt?

14 MS. CROFT: Yes.

15 MR. MEADOWS: Is that a position that Ambassador Kurt Volker held  
16 as well or did -- let me rephrase it. Did you and Ambassador Kurt  
17 Volker talk about the fact that the President had this deep-seated  
18 concern about corruption broadly in the Ukraine?

19 MS. CROFT: Kurt and I were both present with the President in  
20 his pre-brief ahead of his meeting with Poroshenko in September in which  
21 the President described Ukraine as corrupt.

22 MR. MEADOWS: And was he pretty emphatic that he believed that?

23 MS. CROFT: The President?

24 MR. MEADOWS: Yes.

25 MS. CROFT: Yes.

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1 MR. MEADOWS: Okay. And so we have this deep-seated belief that  
2 Ukraine is corrupt, but yet you and your team were persuasive enough  
3 to convince the President to allow for the sale of Javelins to go to  
4 Ukraine? That's pretty impressive. Because, I mean -- go ahead.

5 MS. CROFT: The provision, using U.S. security assistance.

6 MR. MEADOWS: Right. And so -- but at that time it was not just  
7 that we were going to allow them to purchase things. We were actually  
8 going to give U.S. taxpayer dollars to them in order to attain Javelins.  
9 Is that correct?

10 MS. CROFT: That's correct.

11 MR. MEADOWS: So let's fast forward a little bit, because  
12 Javelins gets mentioned, and you've been really the very first person  
13 out of nine different witnesses to articulate what I've been trying  
14 to get to for the last 70 hours.

15 But is the -- the very fact that Javelins were mentioned on a July  
16 25th phone call was not part of foreign aid, it was indeed a potential  
17 purchase that was going to be made by the Ukrainian government with  
18 their funds. Is that correct?

19 MS. CROFT: I have no special or independent knowledge of the  
20 phone call other than the transcript --

21 MR. MEADOWS: No, no, no --

22 MS. CROFT: -- publicly. So I'm with all of you --

23 MR. MEADOWS: I'm not talking about the phone call. I'm just  
24 talking about the purchase of Javelins in 2019. Was that anticipated  
25 that that would be American taxpayer dollars that purchased that or

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1 Ukrainian dollars that would purchase that?

2 MS. CROFT: Ukrainian national funds.

3 MR. MEADOWS: So not only have we shift from the Obama  
4 administration, where they weren't providing Javelins with U.S.  
5 taxpayers, then we went to 2017 where we provided Javelins according  
6 to U.S. taxpayer dollars, to 2019 that says that, by the way, Javelins  
7 will potentially be purchased, but no longer by U.S. taxpayer dollars.  
8 Is that correct?

9 MS. CROFT: Yes, that's correct.

10 MR. MEADOWS: And so that's the official policy today, the U.S.  
11 policy was that we will continue to sell them Javelins, but they would  
12 have to do so with their own money. Is that correct?

13 MS. CROFT: Yeah. I'm not aware that there had been a policy  
14 decision to not use security assistance funds to provide Javelins, but  
15 I do know that the President expressed an interest in Ukraine purchasing  
16 Javelins.

17 MR. MEADOWS: All right. So you're saying that the President has  
18 expressed a concern that -- and I'll ask it really a double-edged  
19 question or a two-prong question.

20 Has the President ever expressed interest in the EU carrying more  
21 of their weight in terms of supporting Ukraine defense initiatives?  
22 Have you -- are you aware of that?

23 MS. CROFT: I have indirectly heard him say the Europeans need  
24 to step up, they need to do more, and have understood that to mean  
25 security assistance.

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1 MR. MEADOWS: Do you believe that the President wants the  
2 Ukrainian Government to do more in terms of their own self-defense as  
3 well?

4 MS. CROFT: I believe that he does want to see Ukraine able to  
5 defend itself, yes.

6 MR. MEADOWS: All right. So let me then finish up with this.  
7 The meeting, the Oval Office meeting that you referred to earlier and  
8 the other witnesses have referred to in terms of the Oval Office meeting  
9 between President Zelensky and President Trump, is that -- it's not  
10 that U.S. Ukrainian policy would be changed in that Oval Office meeting,  
11 it was more of a symbolic gesture that this is a reset, that this is  
12 different than the previous President, Poroshenko, and that this new  
13 President is anticorruption, and it shows the level of support to the  
14 world and I guess to the Ukrainian people if this meeting happened.  
15 So is it more symbolic than it is policy driven?

16 MS. CROFT: I think originally -- I think originally it was both.  
17 Zelensky having an Oval meeting is a powerful symbol of U.S. support  
18 for Ukraine. I think that's unquestionable.

19 Later on, when the security assistance hold was put in place, I  
20 think those in leadership circles -- and I agreed -- thought that if  
21 Trump and Zelensky did meet face to face, that given their common  
22 background, they would get along, and given that the President tends  
23 to rely heavily on firsthand impressions in making policy decisions,  
24 that he could potentially at least semi-reverse his position on Ukraine  
25 and corruption, and that later, when we learned about the OMB hold,

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1 that resolving the President's concerns about corruption would  
2 hopefully lead to lifting that hold.

3 MR. MEADOWS: Well, I know you're an expert on Ukrainian  
4 analysis. I think you're an expert on Oval Office analysis, because  
5 I couldn't agree more. I mean, what you're saying is, is that you  
6 believed if you got the two leaders together, that what all of a sudden  
7 is your belief and the broad belief that President Zelensky was going  
8 to attack corruption, that he would get to see that firsthand, and that  
9 would start to do away with some of the deep-seated concerns that the  
10 President had as it relates to Ukrainian corruption. Is that correct?

11 MS. CROFT: That is -- that was certainly my hope, and it was not  
12 a hope that I -- that I had by myself, and I think it was a reasonable  
13 hope to have.

14 MR. MEADOWS: So you think that was a broader -- so it's not just  
15 the expert witness Ms. Croft that believed this, you said there's  
16 others -- some of your other colleagues had that same belief?

17 MS. CROFT: Yes. That's what we were working toward.

18 MR. MEADOWS: And Ambassador Volker, would he have been one of  
19 those people that believed that if you could just get the two of them  
20 together, that things would start to work out?

21 MS. CROFT: Yeah. I'm reluctant to speak for him, but those were  
22 the conversations that he and I had.

23 MR. MEADOWS: All right.

24 Steve, I'll yield to another Member.

25 MR. CASTOR: Mr. Perry had a lot of questions.

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1 [1:42 p.m.]

2 MR. PERRY: I want to talk to you a little bit about over the last  
3 couple of weeks in this room, there have been questions about bipartisan  
4 support for Ukraine, generally speaking, and what things might diminish  
5 bipartisan support, Republicans and Democrats supportive of our goals  
6 in Ukraine. And I just -- and I want to characterize it in terms of,  
7 based on your opening statement about your time with Ukraine, so it  
8 should be things that are pretty clear to you. I understand you started  
9 at NATO in 2013, and at the desk from 2015 to 2017. In that context,  
10 was there any diminution of bipartisan Republican or Democrat support  
11 for Ukraine, let's say, during 2014, where the U.S. ambassador for  
12 Ukraine, Jeffrey Pyatt had a conversation with Victoria Nuland, where  
13 she basically -- well, she said F the EU, referring to Brussels  
14 hesitation for overthrowing the elected government in Kyiv outright,  
15 if I'm reading this report correctly.

16 Did those circumstances, as you remember them, would they  
17 have -- did they diminish any bipartisan support, Republicans and  
18 Democrats, for our support of Ukraine?

19 MS. CROFT: I mean, I don't have any firsthand knowledge, having  
20 not been on the Hill during that time, but I never saw --

21 MR. PERRY: Did you see any evidence?

22 MS. CROFT: I never saw evidence of diminished bipartisan  
23 support.

24 MR. PERRY: Okay. And over a decade, prior to 2014, so that gets  
25 to obviously before your time there, but allegedly spent about \$5

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1 billion on democracy promotion in Ukraine, during that period of time  
2 is now known as pretty corrupt, but we kept on trying, spending \$5  
3 billion over that period of time for what was described as democracy  
4 promotion efforts, even though there were corruption issues, did you  
5 see any evidence of a lack of bipartisan support?

6 MS. CROFT: I don't think I can sort of sign on to sort of the  
7 characterization of that money being exclusively for, you know -- for  
8 Democratic support, but rather economic stability. As I testified  
9 earlier, it was a huge part of the picture there, and a lot of that  
10 economic aid was directed as sort of helping Ukraine remain  
11 economically stable during this conflict.

12 MR. PERRY: Tumultuous time. But even as you characterize, it  
13 is still bipartisan support?

14 MS. CROFT: And I haven't seen a decline in bipartisan support  
15 or evidence of it, in my limited capacity.

16 MR. PERRY: And when Vice President Biden went to Ukraine and then  
17 it was reported at the CFR where he was shown as saying, you know, I  
18 told them you need to fire the prosecutor, or we're going to withhold  
19 the \$1 billion in IMF funds, or whatever that conversation was. Did  
20 there continue to be bipartisan support, generally speaking, or did  
21 you see any evidence or lack of bipartisan support for Ukraine during  
22 that time?

23 MS. CROFT: I personally did not see any reduction in bipartisan  
24 support.

25 MR. PERRY: Okay. I didn't think you did, but -- because it

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1 seems like there has been a conversation about that here, and I haven't  
2 seen any either, so as the person who's been around who seems to be  
3 the expert on it, I just wanted to get your take on it, and I appreciate  
4 that. I want to move on to a different subject, based on something  
5 you said in the last round.

6 MS. CROFT: Yeah, I'm sorry, I just want to qualify one thing.

7 MR. PERRY: Sure, go ahead.

8 MS. CROFT: I did try to be explicit in that my limited  
9 capacity -- I have limited personal knowledge.

10 MR. PERRY: I understand. Yeah, but from the knowledge that you  
11 had, right, I asked if you saw any evidence and --

12 MS. CROFT: In my limited capacity, I did not.

13 MR. PERRY: And again, moving on, just to set this up a little  
14 bit, I am a retired Army officer, and I know that you know Lieutenant  
15 Colonel Vindman well. As Army officers, there's a general theme that  
16 it's mission first. We kind of take on our mission very personally,  
17 and it becomes personal to us if there's some way not to accomplish  
18 the mission. I mean, it's mission first, and it comes before  
19 everything else and it's just kind of inbred in military officers and  
20 military personnel, in general, at least as far as I'm concerned. In  
21 that vein, you had mentioned that Colonel Vindman drove the policy.  
22 Did you say aggressively? I can't remember exactly what you said  
23 there. How did you describe it?

24 MS. CROFT: I don't remember what word I used, but he was highly  
25 engaged.

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1 MR. PERRY: Okay, fair enough. Would you say he was very  
2 passionate about it?

3 MS. CROFT: I couldn't speak to his emotional state. I was just  
4 reflecting sort of the frequency of meetings and the number of taskings  
5 and that sort of thing.

6 MR. PERRY: So you can't characterize whether he took it kind of  
7 personally, and took it on as his personal --

8 MS. CROFT: I wouldn't be comfortable speaking to his emotional  
9 state on that.

10 MR. PERRY: Okay. Did he ever talk to you about his frustration  
11 when things weren't working out?

12 MS. CROFT: No.

13 MR. PERRY: All right. I yield to the next member.

14 MR. CASTOR: Mr. Armstrong.

15 MR. ARMSTRONG: Thank you. You were working the Ukraine desk in  
16 2016, right?

17 MS. CROFT: Yes.

18 MR. ARMSTRONG: And I know there's reports afterwards and all  
19 this, but at that time when Valeriy Chaly, Ukraine's ambassador, she  
20 wrote letter -- I mean she wrote an op-ed in The Hill. As a member  
21 of the desk, were you following some of those things?

22 MS. CROFT: He.

23 MR. ARMSTRONG: He, sorry.

24 MS. CROFT: Yes, I was vaguely tracking it.

25 MR. ARMSTRONG: How about -- and I'm going to get all of these

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1 wrong and you can correct me, Valentin Nelenchenko (ph), who is security  
2 ambassador, there were some Facebook comments about the President.  
3 Were you aware of these at the time when you were at the desk?

4 MS. CROFT: I'm it not aware of what you just made reference to.

5 MR. ARMSTRONG: Do you know who Serhiy Leshchenko is?

6 MR. MEADOWS: I think it is Leshchenko.

7 MR. ARMSTRONG: I told you I am going to butcher the names.

8 MS. CROFT: Oh, Leshchenko

9 MR. MEADOWS: He needs a North Carolina interpreter.

10 MR. ARMSTRONG: Well, we've got north there. In North Dakota,  
11 we always say we have seven kinds of Lutherans so.

12 MS. CROFT: I was trying to work with you there, I was --

13 MR. ARMSTRONG: I appreciate it.

14 MS. CROFT: I'm aware of him. I don't know him personally.

15 ARMSTRONG: Were you aware at the time at the desk of anything  
16 that was going on 2016 election regarding him?

17 MS. CROFT: I was only vaguely aware in the same sense that  
18 everybody else was aware, you know, that there was, you know -- yes,  
19 sort of vaguely aware.

20 MR. ARMSTRONG: Was there conversation about Ukrainian  
21 Government officials, maybe in an irregular way, manifesting  
22 themselves into the 2016 election?

23 MS. CROFT: Not that I was ever part of.

24 MR. ARMSTRONG: Okay. Anybody else?

25 MR. MEADOWS: Let me, Steve, come back real quick, and then I will

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1 give it back to you.

2 So as it relates to Serhiy Leshchenko, is that correct? Is that  
3 better? Is it better than my North Dakota friend there? He was -- was  
4 he a journalist?

5 MS. CROFT: He's a former MP.

6 MR. MEADOWS: Okay. And so he's -- was he an MP in 2016, do you  
7 recall?

8 MS. CROFT: I honestly -- I don't recall the timeline. I was  
9 focused more on security assistance at the time, so there were other  
10 folks that were responsible for tracking internal politics.

11 MR. MEADOWS: So let me ask one final question, what with U.S.  
12 Ukraine policy, at this point -- as with the previous administration,  
13 there was some things that you wanted to happen. I'm certain that  
14 there's probably things that you would like to happen. Other than an  
15 Oval Office meeting, is there anything that you believe that we could  
16 do currently to help with the Ukraine-U.S. relationship?

17 MS. CROFT: I think it's very important that Ukraine remain on  
18 the agenda of the -- of the U.S. foreign policy agenda. I think it  
19 is important our senior leadership continue to acknowledge the support  
20 for Ukraine is in the U.S. national interest. I think I certainly would  
21 like to see us step up our security assistance. I think we have done  
22 a lot. And I think, in terms of our security assistance, we get a lot  
23 of bang for our buck.

24 The evolution of Ukraine's armed forces over the last 5 years has  
25 been absolutely remarkable, and I think that's a credit to bipartisan

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1 congressional support for security assistance and conditioning that  
2 on defense reforms, which have moved in a very positive direction. I  
3 also personally feel it is important that we remain -- that the United  
4 States continue to have a leadership role in the negotiations and the  
5 conflict in the east.

6 I think we have a unique opportunity to make forward progress on  
7 that with the -- both the popular support that Zelensky has, and Ukraine  
8 and in Russia, as well as a demonstrated willingness to take political  
9 risks in order to make progress. The United States has played an  
10 incredibly, I think, valuable role in both keeping our European  
11 partners united with us on our Ukraine policy, and maintaining our  
12 sanctions regime, while at the same time, engaging in shuttle  
13 diplomacy. And while acknowledge that the shuttle diplomacy has been  
14 stalled, I think we have a progress -- an opportunity to make progress  
15 in our coordination, on the one hand, with Ukraine in coordination with  
16 France and Germany, and then on the other hand, Russia. And I think  
17 we are best positioned to do that if we continue to have a senior level  
18 official that is empowered to engage.

19 MR. MEADOWS: So we need to have someone replace Ambassador Kurt  
20 Volker then?

21 MS. CROFT: That's my personal view, yes.

22 MR. MEADOWS: And -- I will yield back. I thank you. I really  
23 want to close by saying thank you for being so candid, and thank you  
24 for helping us, I believe, understand the whole process better.

25 MS. CROFT: Thank you.

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1 BY MR. CASTOR:

2 Q Do you think this investigation has harmed or done some  
3 damage to bilateral relations?

4 A I think, too, in my personal view in U.S.-Ukraine relations,  
5 I think that those relationship -- that relationship, I think,  
6 continues to remain strong. And I think as long as U.S. support for  
7 Ukraine continues, that will not be diminished. I think it's a  
8 question of looking to the future to make sure that U.S. support  
9 continues.

10 Q Were you on the Ukraine desk during the Vice President  
11 Biden's visit to Ukraine where he made the comments about relieving  
12 the prosecutor Shokin of his duties?

13 A Yes. But I'm going to tell you right now, it was a long time  
14 ago, and my memory is going to be a little bit fuzzy from that time?

15 Q As we have discussed with the holdup in aid in July, August,  
16 September of this year, there was a relatively developed interagency  
17 set of meetings and contacts about how the aid was held up from July  
18 18th to September 11th. And I was just wondering if you have any  
19 recollection of whether there was a robust interagency process relating  
20 to the loan guarantees?

21 A I would not have participated in that process at the time,  
22 because it wasn't in my portfolio, and the desk officer at that level  
23 wouldn't necessarily have participated in that.

24 Q Do you remember if there were PCCs on the topic, or is that  
25 something that would ordinarily be outside of a PCC process?

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1 A I don't recall.

2 Q Did you happen to be on that trip?

3 A No.

4 Q Did you get involved with any of the preparation for the  
5 visit?

6 A For a visit like that, it would typically be all hands on  
7 deck. So I think we all probably did support it, but I don't have  
8 specific memories.

9 Q Do you have any recollection of whether there was a concern  
10 that given Hunter Biden's role with the Burisma company and the Vice  
11 President's engagement that there was a potential conflict of interest?

12 A No, not that I was aware of.

13 Q I will just -- I'm going to refer to Vice President Biden's  
14 remarks, you know, he was relating this at a Council on Foreign  
15 Relations speech in January 2018. He said, I remember going over  
16 convincing our team -- others to convincing that we should be providing  
17 for loan guarantees. And I went over to try, yes, the 12th, 13th time  
18 to Kyiv. Do you remember your time on the desk was the Vice President  
19 going to the Kyiv like 12 and 13 times?

20 A I don't remember how many times the Vice President went.

21 Q Does that sound like the right -- right number?

22 A I would be guessing and drawing from very old memories.

23 THE CHAIRMAN: Counselor, can you identify what you're reading  
24 from?

25 MR. CASTOR: This is former VP's remarks to council of foreign

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1 relations on January 23rd, 2018.

2 THE CHAIRMAN: Right. But what are you reading from? What is  
3 reporting his comments?

4 MR. CASTOR: These are his comments.

5 THE CHAIRMAN: In The Washington Post or the New York Times?

6 MR. CASTOR: It was a video.

7 THE CHAIRMAN: So you transcribed his comments?

8 MR. CASTOR: It was transcribed, yes.

9 THE CHAIRMAN: By whom? I'm just trying to understand what  
10 you're reading to the witness.

11 MR. CASTOR: This is a transcription of what he said on the video.

12 THE CHAIRMAN: By members of the minority staff?

13 MR. CASTOR: What's that?

14 THE CHAIRMAN: By members of the minority staff?

15 MR. CASTOR: Did we have a transcriber? It was just reported in.

16 THE CHAIRMAN: Okay. We just don't know the accuracy what's read  
17 to you, that's why we're asking.

18 MR. CASTOR: Have you seen the video?

19 MR. MEADOWS: Do transcribers stay anonymous?

20 THE CHAIRMAN: That's perfectly fine with me. We are just trying  
21 to identify what's being purported to speak for the Vice President.

22 MR. CASTOR: We have some copies. I can get some copies.

23 THE CHAIRMAN: The witness is asking a question, I want to  
24 understand what you were referring to.

25 BY MR. CASTOR:

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1 Q Anyway, I will jump to the end, and he said, you know, I looked  
2 at them and said I'm leaving in 6 hours and if the prosecutor is not  
3 fired, you're not getting the money. And then he used some colorful  
4 language. And said, and he got fired. And I'm just trying to ask you  
5 whether you have any recollection of this, whether this refreshes your  
6 recollection. Are these types of, like, loan guarantees easily -- are  
7 these types of deal easily broken or not broken by, like, one visit  
8 like this?

9 A I don't have any sort of specific memories of being involved  
10 in that process. And I'm not an expert on how loan guarantees --

11 Q Okay. Have you had a recollection of these set of events  
12 before, or is this the first time you're hearing of the Vice President's  
13 statements recounting what happened?

14 A I'm not entirely sure I understand your question, but this  
15 is the first time I've heard what you read aloud.

16 Q So you've never seen the video?

17 A I don't -- I don't know the video you're referring to, so --

18 Q I will mark it as an exhibit.

19 Did we have any exhibits today?

20 MR. GOLDMAN: No, we did not.

21 MR. JORDAN: Ms. Croft is it likely there was some kind of process  
22 that was undertaken before the Vice President -- before Vice President  
23 Biden went to Ukraine and made this demand or could he have just done  
24 it?

25

[Minority Exhibit No. 1

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1                                   was marked for identification.]

2           MS. CROFT: One second, please.

3           I don't know is honestly the answer to that question.

4           MR. JORDAN: So he could have done this on his own without some  
5 kind of process, or some decision with the interagency process, he could  
6 have just decided, as Vice President, I'm going to go over there and  
7 make this demand on Ukraine?

8           MS. CROFT: I don't know.

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1 [2:00 p.m.]

2 MR. JORDAN: If I could Steve, did you have more?

3 On the July 18th meeting, I think you said earlier today that,  
4 referencing Mr. Kent, Ambassador Kent, you said -- or Secretary Kent,  
5 excuse me, I heard there was a hold --

6 MS. CROFT: Deputy Assistant Secretary Kent, or DAS Kent.

7 MR. JORDAN: "I heard there was a hold on Ukraine" is I think the  
8 statement you said, that he made that statement at this meeting. I  
9 think you said you were participating via video and he made that  
10 statement. Is that right?

11 MS. CROFT: That wasn't a verbatim account of that moment, but  
12 he raised that he -- he raised that he had heard about a hold.

13 MR. JORDAN: And he had heard about it from whom? Did he hear  
14 about it from OMB, or where did he get that information, do you know?

15 MS. CROFT: I don't specifically recall.

16 MR. JORDAN: Thank you, and thanks again for being here.

17 MR. CASTOR: Our time is up.

18 THE CHAIRMAN: I think we're going to break and then go to the  
19 next witness. Thank you very much for your testimony.

20 I did have actually one clarification I wanted to ask for the  
21 record. You mentioned in your car sick notes that you took, that there  
22 was no mention of B. Do you recall whether when you wrote that note,  
23 you were referring to no mention of B by Zelensky, no mention of B by  
24 Taylor, as you're writing down the notes, or what that notation meant?

25 MS. CROFT: I don't specifically recall what I meant when I wrote

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1 that.

2 THE CHAIRMAN: Okay. All right. We will recess, and as soon as  
3 the next witness is available, we will resume.

4 MS. CROFT: Thank you.

5 MR. MACDOUGALL: Mr. Chairman, is Ms. Croft excused?

6 THE CHAIRMAN: You are excused for today, yes, and we don't  
7 expect -- my lawyers can tell you what the terminology is in terms of  
8 the subpoena, but yes, you are excused.

9 MS. CROFT: Thank you. Thank you, everybody.

10 [Whereupon, at 2:01 p.m., the deposition was concluded.]

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