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5 PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

6 joint with the

7 COMMITTEE ON OVERSIGHT AND REFORM

8 and the

9 COMMITTEE ON FOREIGN AFFAIRS,

10 U.S. HOUSE OF REPRESENTATIVES,

11 WASHINGTON, D.C.

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15 DEPOSITION OF: TIM MORRISON

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20 Thursday, October 31, 2019

21 Washington, D.C.

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24 The deposition in the above matter was held in Room HVC-304,

25 Capitol Visitor Center, commencing at 8:10 a.m.

1 Present: Representatives Schiff, Himes, Sewell, Speier,
2 Quigley, Swalwell, Castro, Heck, Welch, Maloney, Demings,
3 Krishnamoorthi, Nunes, Conaway, Turner, Wenstrup, Stefanik, Hurd, and
4 Ratcliffe.

5 Also Present: Representatives Bera, Cicilline, Connolly,
6 Cooper, Keating, Lieu, Lynch, Malinowski, Phillips, Raskin, Rouda,
7 Tlaib, Wasserman Schultz, Armstrong, Cloud, Higgins, Jordan, Kelly,
8 Massie, Meadows, Norman, Perry, and Roy.

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2 Appearances:

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5 For the PERMANENT SELECT COMMITTEE ON INTELLIGENCE:

6

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]

24 [REDACTED]

1 For the COMMITTEE ON OVERSIGHT AND REFORM:

2

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

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10 For the COMMITTEE ON FOREIGN AFFAIRS:

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12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

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19 For TIM MORRISON:

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21 BARBARA VAN GELDER

22 HANNAH CORNETT

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2 THE CHAIRMAN: Good morning, Mr. Morrison. We're on the record
3 now. Good morning, and welcome to the House Permanent Select Committee
4 on Intelligence, which, along with the Foreign Affairs and Oversight
5 Committees, is conducting this investigation as part of the official
6 impeachment inquiry of the House of Representatives.

7 Today's deposition is being conducted as part of the impeachment
8 inquiry. In light of attempts by the administration to direct
9 witnesses not to cooperate with the inquiry, including efforts to limit
10 witness testimony, the committee had no choice but to compel your
11 appearance today. We thank you for complying with the duly authorized
12 congressional subpoena.

13 Mr. Morrison has served for almost two decades in government,
14 having held positions in both the executive and legislative branches.
15 Mr. Morrison served as a professional staff member for Representative
16 Mark Kennedy of Minnesota and Senator Jon Kyl of Arizona. Later, Mr.
17 Morrison served as the longtime policy director for the Republicans
18 on the House Armed Services Committee.

19 In July 2018, Mr. Morrison joined the National Security Council
20 staff as Senior Director for Countering Weapons of Mass Destruction.
21 Following the departure of Dr. Fiona Hill in July 2019, Mr. Morrison
22 assumed the position of Senior Director for Russia and Europe.

23 In this position, Mr. Morrison would have had access to and been
24 involved in key policy discussions, meetings, and decisions on Russia
25 and Ukraine that relate directly to areas under investigation by the

1 committees.

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

7 It is disturbing that the White House has sought to prohibit
8 employees from cooperating with the inquiry and have tried to limit
9 what they can say. This is unacceptable. Thankfully, consummate
10 professionals have demonstrated remarkable courage in coming forward
11 to testify and tell the truth.

12 We understand that you have resigned from the NSC, Mr. Morrison,
13 and we sincerely hope this is not a result of retaliation or reprisal
14 due to your testimony here today. If it is, we would ask your attorney
15 to inform us of any relevant information as soon as possible.

16 Before I turn to committee counsel to begin the interview, I
17 invite the ranking member of the Intelligence Committee, Mr. Nunes,
18 to make any opening remarks.

19 MR. NUNES: Welcome, Mr. Morrison.

20 Just be advised, because this is being done behind closed doors,
21 the transcripts aren't being released, there's been a history of the
22 majority cutting off our questioners. There's also been a history of
23 leading the witness. And so I just want to advise you of that in
24 advance.

25 We hope that you will be forthright with us and answer the

1 questions and not take coaching from the majority. And your lawyer,
2 your counsel should be advised that this has been a common theme
3 throughout the last month of these depositions.

4 And, with that, welcome. It's great to have you.

5 THE CHAIRMAN: In the interest of time, I will not bother to rebut
6 my colleague, but recognize Mr. Goldman.

7 MR. GOLDMAN: Thank you, Mr. Chairman.

8 This is a deposition of Timothy Morrison conducted by the House
9 Permanent Select Committee on Intelligence pursuant to the impeachment
10 inquiry announced by the Speaker of the House on September 24th, 2019.

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

13 MR. MORRISON: Timothy Aron Morrison, M-o-r-r-i-s-o-n.

14 MR. GOLDMAN: And if you could just pull the mike close to you,
15 then you can relax and just talk into it. Thank you.

16 Now, along with other proceedings in furtherance of the inquiry
17 to date, this deposition is part of a joint investigation led by the
18 Intelligence Committee, in coordination with the Committees on Foreign
19 Affairs and Oversight and Reform.

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

24 My name is Daniel Goldman. I'm the director of investigations
25 for the Intelligence Committee's majority staff. And I want to thank

1 you again for coming in today.

2 Let me do some brief introductions. To my right here is Daniel
3 Noble, senior investigative counsel for the Intelligence Committee's
4 majority staff. Mr. Noble and I will be conducting most of the
5 interview for the majority.

6 And now I'd like to ask my counterparts on the minority to
7 introduce themselves.

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

10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]

14 MR. GOLDMAN: This deposition will be conducted entirely at the
15 unclassified level. However, it is being conducted in HPSCI secure
16 spaces and in the presence of staff with appropriate security
17 clearances.

18 We understand that your attorneys also have their security
19 clearances. Is that right?

20 MS. VAN GELDER: No.

21 MR. GOLDMAN: Okay. They do not.

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

1 You are reminded that EO 13526 states that, quote, "in no case
2 shall information be classified, continue to be maintained as
3 classified, or fail to be declassified for the purpose of concealing
4 any violations of law or preventing embarrassment of any person or
5 entity."

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

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

13 Under the House deposition rules, no Member of Congress nor any
14 staff member can discuss the substance of the testimony that you provide
15 today.

16 You and your attorney will have an opportunity to review the
17 transcript before it is released.

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

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

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

3 Under the House deposition rules, counsel for other persons or
4 government agencies may not attend. You are permitted to have an
5 attorney present during this deposition, and I see that you have brought
6 two.

7 At this time, if counsel could please state their appearances for
8 the record.

9 MS. VAN GELDER: Barbara Van Gelder.

10 MS. CORNETT: Hannah Cornett.

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

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

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

23 You may only refuse to answer a question to preserve a privilege
24 recognized by the committee. If you refuse to answer a question on
25 the basis of privilege, staff may either proceed with the deposition

1 or seek a ruling from the chairman on the objection. If the chair
2 overrules any such objection, you are required to answer the question.

3 Finally, you are reminded that it is unlawful to deliberately
4 provide false information to Members of Congress or staff. It is
5 imperative that you not only answer our questions truthfully but that
6 you give full and complete answers to all questions asked of you.
7 Omissions may also be considered as false statements.

8 Now, as this deposition is under oath, Mr. Morrison, would you
9 please stand and raise your right hand to be sworn?

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

12 MR. MORRISON: I do.

13 MR. GOLDMAN: Thank you. You can be seated.

14 Let the record reflect that the witness has been sworn.

15 Mr. Morrison, if you have an opening statement, now is the time.

16 MR. MORRISON: Thank you.

17 Chairman Schiff and members of the committees, I appear today
18 under subpoena to answer your questions about my time as Senior Director
19 for European Affairs at the White House in the National Security
20 Council. I will give you the most complete information I can,
21 consistent with my obligations to the President and the protection of
22 classified information.

23 I do not know who the whistleblower is, nor do I intend to
24 speculate as to who it may be.

25 Before joining the NSC in 2018, I spent 17 years as a Republican

1 staffer serving in a variety of roles in both houses of Congress. My
2 last position was policy director for the then-majority staff of the
3 House Armed Services Committee.

4 From July 9, 2018, to July 15, 2019, I served as a Special
5 Assistant to the President for National Security and as the NSC Senior
6 Director for Weapons of Mass Destruction and Biodefense. In that role,
7 I had limited exposure to Ukraine, focusing primarily on foreign
8 military sales and arms control.

9 On July 15, 2019, I became Deputy Assistant to the President for
10 National Security. In this role, I serve as the lead interagency
11 coordinator for national security issues involving Europe and Russia.

12 It is important to start with the role of the NSC. Since its
13 creation by Congress in 1947, the NSC has appropriately evolved in shape
14 and size to suit the needs of the President and the National Security
15 Advisor it serves at the time. But its mission and core function has
16 fundamentally remained the same: to coordinate across departments and
17 agencies of the executive branch to ensure the President has the policy
18 options he needs to accomplish his objectives and to see that his
19 decisions are implemented.

20 The NSC staff does not make policy. NSC staff are most effective
21 when we are neutral arbiters helping the relevant executive branch
22 agencies develop options for the President and implement his direction.

23 In my current position, I understood our primary U.S. policy
24 objective in Ukraine was to take advantage of the once-in-a-generation
25 opportunity that resulted from the election of President Zelensky and

1 the clear majority he had gained in the Ukrainian Rada to see real
2 anticorruption reform take root.

3 The administration's policy was that the best way for the United
4 States to show its support for President Zelensky's reform efforts was
5 to make sure the United States' longstanding bipartisan commitment to
6 strengthen Ukraine's security remained unaltered.

7 It is easy to forget here in Washington, but impossible in Kyiv,
8 that Ukraine is still under armed assault by Russia, a nuclear-armed
9 state. We also tend to forget that the United States had helped
10 convince Ukraine to give up Soviet nuclear weapons in 1994.

11 United States security-sector assistance from the Departments of
12 Defense and State is, therefore, essential to Ukraine. Also essential
13 is a strong and positive relationship with Ukraine at the highest levels
14 of our respective governments.

15 In my role as Senior Director for European Affairs, I reported
16 directly to former Deputy National Security Advisor Dr. Charles
17 Kupperman and former National Security Advisor Ambassador John Bolton.
18 I kept them fully informed on matters that I believe merited their
19 awareness or when I felt I needed some direction.

20 During the time relevant to this inquiry, I never briefed the
21 President or Vice President on matters related to Ukrainian security.
22 It was my job to coordinate with the U.S. Embassy Chief of Mission to
23 Ukraine, William Taylor, Special Representative for Ukraine
24 Negotiations Kurt Volker, and other interagency stakeholders in the
25 Departments of Defense and State on other Ukrainian matters.

1 My primary responsibility has been to ensure Federal agencies had
2 consistent messaging and policy guidance on national security issues
3 involving European and Russian affairs.

4 As Dr. Fiona Hill and I prepared for me to succeed her, one of
5 the areas we discussed was Ukraine. In that discussion, she informed
6 me of her concerns about two Ukraine processes that were occurring:
7 the normal interagency process led by the NSC with the typical
8 department and agency participation, and a separate process that
9 involved chiefly the U.S. Ambassador to the European Union.

10 Dr. Hill told me that Ambassador Sondland and President Trump's
11 personal lawyer, Rudy Giuliani, were trying to get President Zelensky
12 to reopen Ukrainian investigations into Burisma. At the time, I did
13 not know what Burisma was or what the investigation entailed. After
14 the meeting with Dr. Hill, I googled "Burisma" and learned that it was
15 a Ukrainian energy company and that Hunter Biden was on its board.

16 I also did not understand why Ambassador Sondland would be
17 involved in Ukraine policy, often without the involvement of our duly
18 appointed Chief of Mission, Ambassador Bill Taylor.

19 My most frequent conversations were with Ambassador Taylor
20 because he was the U.S. Chief of Mission in Ukraine, and I was his chief
21 conduit for information related to White House deliberations,
22 including security-sector assistance and potential head-of-state
23 meetings. This is a normal part of the coordination process.

24 In preparation for my appearance today, I reviewed the statement
25 Ambassador Taylor provided this inquiry on October 22nd, 2019. I can

1 confirm that the substance of his statement as it relates to
2 conversations that he and I had is accurate. My recollections differ
3 on two of the details, however.

4 I have a slightly different recollection of my September 1, 2019,
5 conversation with Ambassador Sondland. On page 10 of Ambassador
6 Taylor's statement, he recounts a conversation I relayed to him
7 regarding Ambassador Sondland's conversation with Ukrainian
8 Presidential Advisor Yermak.

9 Ambassador Taylor wrote, and I quote, "Ambassador Sondland told
10 Mr. Yermak that security assistance money would not come until
11 President Zelensky committed to pursue the Burisma investigation," end
12 quote.

13 My recollection is that Ambassador Sondland's proposal to
14 Mr. Yermak was that it could be sufficient if the new Ukrainian
15 Prosecutor General, not President Zelensky, would commit to pursue the
16 Burisma investigation.

17 I would also like to clarify that I did not meet with the Ukrainian
18 National Security Advisor in his hotel room, as Ambassador Taylor
19 indicated on page 11 of his statement. Instead, an NSC aide and I met
20 with Mr. Danylyuk in the hotel's business center.

21 I also reviewed the memorandum of conversation of the July 25
22 phone call that was released by the White House. I listened to the
23 call as it occurred from the Situation Room. To the best of my
24 recollection, the MEMCON accurately and completely reflects the
25 substance of the call.

1 I also recall that I did not see anyone from the NSC Legal
2 Advisor's Office in the room during the call. After the call, I
3 promptly asked the NSC Legal Advisor and his deputy to review it.

4 I had three concerns about a potential leak of the MEMCON: first,
5 how it would play out in Washington's polarized environment; second,
6 how a leak would affect the bipartisan support our Ukrainian partners
7 currently experience in Congress; and, third, how it would affect the
8 Ukrainian perceptions of the U.S.-Ukraine relationship.

9 I want to be clear: I was not concerned that anything illegal
10 was discussed.

11 I was aware that the White House was holding up security-sector
12 assistance passed by Congress -- excuse me. I was not aware that the
13 White House was holding up the security-sector assistance passed by
14 Congress until my superior, Dr. Charles Kupperman, told me soon after
15 I succeeded Dr. Hill.

16 I was aware that the President thought Ukraine had a corruption
17 problem, as did many others familiar with Ukraine. I was also aware
18 that the President believed that Europe did not contribute enough
19 assistance to Ukraine.

20 I was directed by Dr. Kupperman to coordinate with the
21 interagency stakeholders to put together a policy process to
22 demonstrate that the interagency supported security-sector assistance
23 to Ukraine.

24 I was confident that our national security principals -- the
25 Secretaries of State and Defense, the Director of the Central

1 Intelligence Agency, and the head of the National Security
2 Council -- could convince President Trump to release the aid, because
3 President Zelensky and the reform-oriented Rada were genuinely
4 invested in their anticorruption agenda.

5 Ambassador Taylor and I were concerned that the longer the money
6 was withheld, the more questions the Zelensky administration would ask
7 about the U.S. commitment to Ukraine. Our initial hope was that the
8 money would be released before the hold became public, because we did
9 not want the newly constituted Ukrainian Government to question U.S.
10 support.

11 I have no reason to believe the Ukrainians had any knowledge of
12 the review until August 28, 2019.

13 Ambassador Taylor and I had no reason to believe that the release
14 of the security-sector assistance might be conditioned on a public
15 statement reopening the Burisma investigation until my September 1,
16 2019, conversation with Ambassador Sondland.

17 Even then, I hoped that Ambassador Sondland's strategy was
18 exclusively his own and would not be considered by leaders in the
19 administration and Congress who understood the strategic importance
20 of Ukraine to our national security.

21 I am pleased our process gave the President the confidence he
22 needed to approve the release of the security-sector assistance. My
23 regret is that Ukraine ever learned of the review and that, with this
24 impeachment inquiry, Ukraine has become subsumed in the U.S. political
25 process.

1 After 19 years of government service, I have decided to leave the
2 NSC. I have not submitted a formal resignation at this time because
3 I do not want anyone to think there is a connection between my testimony
4 today and my impending departure. I plan to finalize my transition
5 from the NSC after my testimony is complete.

6 During my time in public service, I have worked with some of the
7 smartest and most self-sacrificing people in this country. Serving
8 at the White House in this time of unprecedented global change has been
9 the opportunity of a lifetime. I am proud of what I have been able
10 in some small way to help the Trump administration to accomplish.

11 Thank you for your attention.

12 THE CHAIRMAN: Mr. Goldman, you are recognized for 1 hour.

13 MR. GOLDMAN: Thank you, Mr. Chairman.

14 BY MR. GOLDMAN:

15 Q Mr. Morrison, I just want to start where you ended, about
16 your resignation. You said that it had nothing to do with your
17 testimony today. What is the reason that you are resigning around this
18 time?

19 A I have decided that it's time for a change in my career.

20 Q And so it had nothing to do with this Ukraine issue and the
21 impeachment inquiry?

22 A No.

23 Q Did you have any discussions with anyone -- other than any
24 formal letters or conversations between any attorneys and your
25 attorney, did you personally have any discussions with anyone at the

1 White House about your testimony here today?

2 A I discussed with personnel at the White House that I would
3 be testifying. I did not talk about the substance of what my testimony
4 would be.

5 Q Did anyone discourage you from testifying?

6 A No.

7 Q Who did you speak to?

8 A I talked to the Deputy National Security Advisor, Matthew
9 Pottinger. I talked to various personnel from NSC Press. And I talked
10 to the NSC Legal Advisor and his deputy. And I believe I informed my
11 deputy that I would be testifying here today.

12 Q Did anyone ask you what you were going to say here today?

13 A No.

14 Q Did anyone encourage you to testify in a certain way?

15 A No.

16 Q So is your testimony here today entirely of your own
17 recollection and volition?

18 A Yes, and based on the consultations with my lawyer.

19 Q Did you review any notes before you came to testify here
20 today?

21 A Yes.

22 Q What did you review?

23 A I reviewed, among other things, the notes I took on July 25th
24 during the head-of-state phone call between President Trump and
25 President Zelensky. I reviewed various entries in my official

1 calendar with respect to dates that meetings occurred, dates that phone
2 calls occurred. I reviewed emails I sent to make sure I was correctly
3 remembering the timelines on which things occurred.

4 Q Okay.

5 Now, let's focus on when you took over as the Senior Director for
6 Europe and Russia. What date was that?

7 A July 15, 2019.

8 Q And, prior to that, you indicated that you had some
9 involvement in Ukraine related to some of the arms sales that was the
10 focus of your prior position?

11 A Foreign military sales and arms control.

12 Q Okay. Were you following -- prior to when you assumed
13 this -- well, when did you know that you were going to take over this
14 role?

15 A I began negotiating with Ambassador Bolton and Dr. Kupperman
16 probably mid-May of 2019 about whether and if I would take on the role.

17 Q How much of your time in this position related to Ukraine?

18 A Which position?

19 Q Your current position.

20 A A significant quantity.

21 Q And when you had those initial conversations with Ambassador
22 Bolton and Dr. Kupperman in May, did you specifically discuss Ukraine
23 at all?

24 A No.

25 Q Were you aware of the, sort of, swirling press reports

1 related to Ukraine in May?

2 A In passing.

3 Q And can you explain what you knew at that time?

4 A I recall seeing various press reporting about these -- about
5 Ukraine issues, but I had a more-than-full-time job that kept me pretty
6 occupied.

7 Q And what do you remember? What issues do you remember?

8 A I have no specific recollection of a particular Ukraine
9 issue. I just recall seeing press reporting about who this President
10 Zelensky was. He's a comedian. He had a TV show. Those kinds of
11 issues.

12 Q Uh-huh. Were you following any public statements made by
13 Rudy Giuliani related to Ukraine at this time?

14 A Not that I can recall.

15 Q And between mid-May when you accepted the job and July 15th
16 when you started, what did you do, if anything, to study up on Ukraine
17 issues before you took over the job?

18 A I had one or two, sort of, transition conversations, handoff
19 conversations with Dr. Hill.

20 Q That was before July 15th?

21 A That was before July 15th. Probably beginning around July
22 1, the fact of the transition became known to Dr. Hill, and we began
23 talking about how to make sure there was an orderly handoff.

24 Q But after you knew you were going to take this position, did
25 you pay closer attention to the media reports related to Ukraine?

1 A In fairness, no. I still had a full-time job that was
2 occupying me.

3 Q Okay. So when you started talking to Dr. Hill on July 1st,
4 were you aware of any of the alternative narratives that Mr. Giuliani
5 and others were promoting in the media?

6 A As I said in my statement, Dr. Hill, when we began these
7 handoff conversations, Ukraine was a topic of those conversations, and
8 she informed me of her concerns about this alternate process.

9 Q So I just want to understand what your knowledge was before
10 you met with Dr. Hill. Were you aware of any of these alternative
11 narratives before that?

12 A I have no specific recollection about any alternative
13 narrative.

14 Q Okay. So you described that in your meeting with Dr. Hill,
15 in your opening statement, that you discussed, I think you said two -- I
16 don't want to misstate what you said, but two processes related to
17 Ukraine. Is that right?

18 A Yes.

19 Q So can you describe what you understood from Dr. Hill to be
20 the two separate processes?

21 A As I said in my statement, there was the normal process, where
22 decisionmaking went through the duly appointed personnel, whether
23 that's the Chief of Mission, Ambassador Taylor, Envoy Volker, the
24 appropriate personnel from the Departments of State and Defense and
25 Energy and intelligence agencies and so forth, as we normally do

1 business under the NSPM-4 process. And there was this second track,
2 chiefly led by Ambassador Sondland, where Rudy Giuliani's name would
3 come up.

4 Q In that conversation, did you have any discussion about the
5 policy positions of both processes, as you call them, including whether
6 there was any difference between the, sort of, two tracks in terms of
7 policy?

8 A Not as such. It was chiefly focused on, here's the normal
9 process where decisions get made that I was familiar with from my own
10 job, and here was this other track where Ambassador Sondland and Mr.
11 Giuliani were involved. Fiona mentioned that they were interested in
12 issues such as the Burisma investigation, and I noted that. And that
13 was essentially the substance of the conversation.

14 Q What did she say specifically about Ambassador Sondland and
15 his role?

16 A She described Ambassador Sondland as a problem. We both
17 discussed that Ukraine was not in the EU, which led to the follow-on
18 question of, why is he involved in Ukraine? And, as I mentioned, she
19 mentioned Burisma, which I really did not know what that was.

20 Q So just focusing on Ambassador Sondland for a minute, did
21 she explain to you her understanding as to why Ambassador Sondland was
22 involved in Ukraine policy?

23 A She stated that Ambassador Sondland believed he had the
24 mandate to get involved based on his relationship with the President.

25 Q Was it based on his relationship or based on a directive from

1 the President, as you understood it?

2 A The way I recall her relating it to me, based on her
3 perspective, was his relationship.

4 Q Other than the fact that Ukraine is not in the EU, did she
5 indicate to you any other concerns about Ambassador Sondland's role?

6 A It was less about his role in Ukraine and more about how he
7 conducted himself. He did not participate in the process. So we are
8 very process-oriented on the NSC; we have a way we do things that works.
9 And so when people come in and get involved in issues and they're not
10 of that process, it creates risk.

11 Q And what did she say to you about Rudy Giuliani?

12 A She mentioned that Gordon talked with Rudy, and she mentioned
13 that she stayed away from any conversation with Rudy and that I would
14 be wise to do the same.

15 Q And we'll get to Burisma in a minute, but did she mention
16 anything else, other than Burisma, in connection to what Rudy
17 Giuliani's interest in Ukraine was?

18 A She mentioned Rudy -- and I should say clearly for the record
19 that, in some cases, I consider Burisma to sort of be a bucket of issues.
20 Burisma is Burisma the company, Burisma is Hunter Biden on the board,
21 and I sometimes lump together Burisma and the 2016 server in my head,
22 chiefly because they are all issues I tried to stay away from.

23 Q Why did you try to stay away -- do you recall that she also
24 mentioned in that conversation or subsequent conversation the 2016
25 election, separate from --

1 A She mentioned the fact --

2 Q -- Burisma?

3 A -- of some -- excuse me.

4 Q Go ahead.

5 A She mentioned the fact of some speculation about a server.

6 Q And did she mention anything about some allegations that
7 Ukraine may have been involved in interfering in the 2016 election?

8 A She mentioned that there was some concern in some quarters
9 that there was a server that had something to do with the 2016 election,
10 but it was all fairly unknown to me.

11 Q And why did you want to stay away from this bucket that you
12 describe as Burisma?

13 A I deemed it appropriate to follow Dr. Hill's counsel to do
14 so.

15 Q And what was the reason that she gave you to do so?

16 A Because it had nothing to do with our policy process.

17 Q Can you explain how or why?

18 A We were chiefly involved in issues related to -- in the
19 Ukraine process, we were chiefly involved in issues related to managing
20 the new Ukrainian Government, working with them to cement their reform
21 agenda, working with them on security, working with them on a dozen
22 other projects that are beyond the scope of today's proceeding.

23 Q Did you come to learn about a July 10th meeting at the White
24 House with Ambassador Bolton, Ambassador Sondland, Volker, other
25 American officials, as well as Ukrainian officials?

1 A No.

2 Q Dr. Hill didn't tell you about that meeting at all?

3 A No.

4 Q And you didn't attend it?

5 A No.

6 Q So, by the time she left, you were not aware of this meeting
7 that had occurred?

8 A No.

9 Q Okay.

10 Prior to the July 25th call, did you have any sense as to whether
11 Ambassador Sondland was speaking with any Ukrainians directly?

12 A Yes. I think that was part of the handoff conversations that
13 Dr. Hill and I had and part of why she expressed concern about him acting
14 outside of the normal process.

15 Q Okay. When you had these transition meetings with
16 Dr. Hill -- and, by the way, how many were there, do you know, related
17 to Ukraine?

18 A I think Ukraine probably -- there were probably three
19 meetings, about an hour each. Ukraine came up in two of the meetings.

20 Q And do you recall when?

21 A When the meetings occurred?

22 Q Right.

23 A Between July 1 and July 15.

24 Q Okay.

25 Did Dr. Hill discuss with you the possibility of a White House

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1 meeting between President Zelensky and President Trump?

2 A Yes.

3 Q What did she say to you about that?

4 A It was on a list of meetings that we were tracking,
5 head-of-state meetings, other important meetings that would involve
6 the President. We called them schedule proposals. So, here's what's
7 pending.

8 Q In your conversation with Dr. Hill about a potential White
9 House meeting for President Zelensky, did she discuss at all Ambassador
10 Sondland's role or Rudy Giuliani's role in setting up that meeting?

11 A No.

12 Q Did she indicate to you at all whether there were some
13 rumblings about pursuing the bucket of Burisma investigations in order
14 to get a White House meeting?

15 A No.

16 Q So after July 15th and prior to July 25th, let's focus on
17 that timeframe for a minute. When did you become aware that there was
18 the possibility of a phone call between President Zelensky and
19 President Trump?

20 A Fairly early. I'd have to recall exactly when the Ukrainian
21 Rada election occurred, but we were watching it closely. We expected
22 President Zelensky's party, the Servant of the People, to do well. We
23 did not expect it to do as well as it did. It obtained a clear mandate,
24 a clear majority. And we wanted Ukraine -- we wanted there to be a
25 phone call -- similar to the phone call the President placed to

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1 congratulate President Zelensky for his own election, we wanted there
2 to be a phone call to congratulate President Zelensky for his decisive
3 victory.

4 Q When you took over this role, did you go back and review the
5 transcript of the April 21st call?

6 A No.

7 Q Did you get a readout or any information about that call?

8 A No.

9 Q So how do you know that it was congratulatory?

10 A Because that was the purpose of the call that was described
11 to me.

12 Q So someone did describe it to you?

13 A I was aware that there was a call. I never got a debriefing.
14 I never read the MEMCON of that package.

15 Q Did someone just describe to you generally what happened?

16 A It was described to me that the call occurred, it was a
17 congratulatory phone call on his election.

18 Q When you said we wanted to set up a congratulatory phone call,
19 who do you mean by "we"?

20 A My office, my directorate.

21 Q Did you ever speak to Ambassador Bolton specifically about
22 a phone call between Zelensky and Trump?

23 A Yes.

24 Q What did Ambassador Bolton say to you about that possibility?

25 A That he was working on it.

1 Q Was there some discussion as to whether it would be before
2 the election or after the election, as far as you know?

3 A No.

4 Q By the time you got there, it was always going to be after
5 the parliamentary election?

6 A Yes.

7 Q To your knowledge, was there any difficulty in setting up
8 this call?

9 A No.

10 Q Was it set up, as far as you know, through normal channels?

11 A Yes.

12 Q Do you know whether Mr. Giuliani had any discussions with
13 anyone about setting up a call?

14 A No.

15 Q Do you know whether Ambassador Sondland had any discussions
16 with anyone in the Chief of Staff's office or the President about
17 setting up this call?

18 A Yes.

19 Q What do you know about that?

20 A Which?

21 MS. VAN GELDER: I don't think that his conversations with the
22 President he can talk to.

23 MR. GOLDMAN: About Ambassador Sondland's conversations with the
24 President?

25 MS. VAN GELDER: I'm going to say if he knows about it, if he was

1 there, he can't talk about it. If he was told by Ambassador Sondland,
2 he can talk about it.

3 If you could repeat the question, maybe we can get through it
4 another way.

5 BY MR. GOLDMAN:

6 Q I'll break it out. Do you know whether Ambassador Sondland
7 spoke with Mick Mulvaney or anyone in Mick Mulvaney's office about a
8 call?

9 A No.

10 MS. VAN GELDER: Which call?

11 BY MR. GOLDMAN:

12 Q A potential call with President Zelensky, what ultimately
13 became 7/25.

14 A No.

15 Q Do you know whether Ambassador Sondland spoke to President
16 Trump about it?

17 A I know that Ambassador Sondland told me he spoke to the
18 President about it.

19 Q And when did he tell you that?

20 A The morning of July 25th.

21 Q And so can you describe the conversation that you had with
22 Ambassador Sondland the morning of July 25th?

23 A Ambassador Sondland emailed me and several other White House
24 staff to inform us that he had spoken to the President that morning
25 to brief him on the call.

1 Q And did he explain to you what he told the President in that
2 briefing?

3 A The conversation was entirely over email. He sent me an
4 email listing three topics that he was working on, the first of which
5 was "I spoke to the President this morning to brief him on the call."

6 Q And so he didn't give any more description as to what his
7 briefing was?

8 A The conversation was exclusively over email.

9 Q I understand, but in the email he didn't explain any more --

10 A That was the extent of what he said about the Ukraine call.

11 Q Okay.

12 And do you know if President Trump was prepped through the normal
13 NSC process?

14 A I know we provided him the regular call package.

15 Q Did Ambassador Bolton ever express any reservations to you
16 about a call between President Trump and President Zelensky?

17 A No.

18 Q Prior to this call, did you have any discussions with
19 Ambassador Bolton yourself about this alternative process with
20 Sondland and Giuliani?

21 A No.

22 Q Did Dr. Hill brief you at all on Ambassador Bolton's views
23 about Sondland or Giuliani?

24 A Could you restate and be more specific?

25 Q In your transition meetings about Ukraine with Dr. Hill, did

1 she relay to you what she understood to be Ambassador Bolton's opinion
2 of Mr. Giuliani?

3 A No.

4 Q And how about Mr. Giuliani's role as it relates to Ukraine?

5 A No.

6 Q So, prior to this call on July 25th, you were unaware, either
7 from direct conversations or conversations with other people, about
8 any reservations Ambassador Bolton had about the Ukraine situation?

9 A That is correct.

10 Q Okay.

11 Were you present when the President was prepped for this call?

12 A No.

13 Q Do you know if he was orally prepped for it?

14 A No.

15 Q Do you know whether Ambassador Sondland or -- well,
16 withdrawn. When did you first learn about Kurt Volker's role with
17 Ukraine?

18 A During the transition meetings with Dr. Hill.

19 THE CHAIRMAN: If I could just clarify, Mr. Goldman.

20 Mr. Morrison, you mentioned that either you or others prepared
21 a regular call package in anticipation of the July 25th call. Is that
22 right?

23 MR. MORRISON: Correct.

24 THE CHAIRMAN: And that would've been the recommendations of the
25 NSC as to what should take place on the call or to help prepare the

1 President for the call?

2 MR. MORRISON: Yes.

3 THE CHAIRMAN: And I take it that the Burisma bucket of issues
4 that you described was not mentioned anywhere in that call package?

5 MS. VAN GELDER: He can't talk to what was in the call package.

6 THE CHAIRMAN: Well, I'm asking what was excluded from the call
7 package.

8 You said you wanted Mr. Morrison to avoid that whole bucket of
9 issues. I take it that bucket of issues was not part of the official
10 call package to the President.

11 MS. VAN GELDER: I'm going to instruct him not to answer that
12 question.

13 THE CHAIRMAN: Mr. Morrison, I need to inform you and your
14 counsel, the White House has not invoked any privilege. They had the
15 opportunity, knowing of your testimony, to convey to the committee that
16 this question or that question or this conversation or that question
17 was privileged. They have made no such representation to the
18 committee, nor have they sought to obtain an opinion from the Justice
19 Department that anything that we're asking about is privileged.

20 So we don't recognize any potential future invocation of
21 privilege in this committee, and you are instructed to answer the
22 question.

23 MS. VAN GELDER: I'm going to instruct him not to. I will just
24 basically say we are taking our guidance from the U.S. District Court's
25 decision in U.S. v. Miers. We believe that there is a presumptive

1 Presidential privilege. It is not his to waive. It is not his to
2 answer.

3 If the committee desires to go to the court, as Judge Bates said
4 in the Miers case, it is a question-by-question matter, then we will
5 answer it. But we have been put in an awkward position, at most, in
6 which the burden of noncompliance is on the individual.

7 So I say this with all due respect, sir. I do not want to have
8 either him or I in contempt, but I also recognize that this is a man
9 with an ongoing security clearance and that, you know, if we can get
10 this later, you can deal with it, we can go around it, maybe we can
11 work it out. But for this moment, I would respectfully ask you if you
12 could table that and go back and get to the other issues which he can
13 talk. Then we can maybe, during a break, talk about it. But at this
14 point, it's a hard stop.

15 THE CHAIRMAN: We will -- let's do this. Let's during a break
16 see if we can do a workaround. But I do want to say for the record,
17 while it is not the witness's position to waive a privilege, it is also
18 not his position to assert the privilege on behalf of the White House.

19 MS. VAN GELDER: Right. We're not asserting privilege. We are
20 just directing him not to answer it.

21 THE CHAIRMAN: And therein lies the problem.

22 MS. VAN GELDER: Yes, I know.

23 THE CHAIRMAN: Well, we'll come back to this, and hopefully we
24 can do a workaround. If this was not part of the call package, it seems
25 to me there is no potential privilege involved here, but we can discuss

1 that during a recess.

2 Mr. Goldman.

3 BY MR. GOLDMAN:

4 Q So I was asking you about Ambassador Volker, who was the
5 Special Envoy for Ukraine negotiations. But when did you learn that
6 Ambassador Volker was also involved in broader Ukraine issues?

7 Let me phrase it this way: When did you learn that Ambassador
8 Volker was involved in issues separate from the conflict in the eastern
9 part of Ukraine?

10 A It would've been in one of my conversations with Ambassador
11 Taylor.

12 Q And when was your first conversation with Ambassador Taylor
13 after July 15th?

14 You may consult with your attorney. I mean, you are free to
15 refresh your recollection with any document that you wish to look at.

16 [Discussion off the record.]

17 BY MR. GOLDMAN:

18 Q We'll move on. I guess the question is, did you speak with
19 Ambassador Taylor, do you know, before the July 25th call?

20 A To the best of my recollection, my initial conversation with
21 Ambassador Taylor was to provide him what I thought was an appropriate
22 out-briefing on the call.

23 Q So you didn't speak to Ambassador Taylor before the call?

24 A Not that I can recall.

25 Q Did you speak with Ambassador Volker before the call?

1 A No.

2 Q Did you speak with Ambassador Sondland before the call?

3 A Can you be more specific?

4 Q Speak on the phone or in person.

5 A On any topic?

6 Q No. Sorry. On Ukraine issues.

7 A I believe so.

8 Q When did you speak to him? Or -- sorry. Let's just do it
9 this way. The specific date doesn't matter as much as: Did you speak
10 to him between July 15th and July 25th?

11 A Yes.

12 Q And can you describe what that conversation was about?

13 A So we had an initial discussion, sort of an introduction,
14 before I officially took over, where we just generally had an
15 introductory conversation.

16 We had a phone conversation not long after I took over, and while
17 we were planning the call, to discuss what I knew, essentially. He
18 was asking, did I have any visibility on when a call might occur.

19 Q And how did you respond?

20 A I told him where I understood it to be; we were trying to
21 schedule it. I -- yeah. I mean, we just generally -- "Do you know
22 when the call will occur?" I placed inquiries in our process to figure
23 out where the request for the call was, and I informed him of what I
24 knew.

25 Q Did he say anything to you about conversations -- during that

1 phone call, did he say anything to you about conversations he was having
2 with any Ukrainian officials?

3 A Not that I recall.

4 Q Do you know whether he spoke to any Ukrainian officials
5 before the call?

6 A The only recollection I have of that fact is based on what
7 I have reviewed in the testimony.

8 Q Okay. And did the testimony refresh your recollection?

9 A To the best of my recollection, it was the first I learned
10 of some of these engagements.

11 Q Okay. That's a different answer.

12 Were you aware of whether Ambassador Volker was in touch with any
13 Ukrainian officials about the call prior to the call?

14 A No, I don't believe I was.

15 Q All right.

16 Were you aware that Dr. Kupperman had a call with Oleksandr
17 Danylyuk on July 20th?

18 A On July 20th? No.

19 Q Or around that time?

20 A No. But I was on travel pretty much immediately after taking
21 over on July 15th.

22 Q Okay.

23 So you helped to prepare those, sort of, typical talking points
24 for a Presidential call? And I say "typical" in the sense that that's
25 the normal process.

1 A We have a formal package. We are very process-oriented;
2 everything has a template. We completed the template.

3 Q And, at that point, you had already determined that you
4 wanted to stay away from the Burisma bucket of investigations. Is that
5 right?

6 A I was advised to do so by Dr. Hill during our transition
7 conversations, yes.

8 Q And did you follow that advice?

9 A Yes.

10 Q So let's -- in reviewing open-source information today, did
11 you review any text messages that have been released related to this
12 issue?

13 A Yes.

14 Q Did you review a text message from -- one second.

15 [Discussion off the record.]

16 BY MR. GOLDMAN:

17 Q Did you review a text message from Kurt Volker to Andrey
18 Yermak where Volker said, quote, "Heard from White House. Assuming
19 President Z convinces Trump he will investigate/'get to the bottom of
20 what happened' in 2016, we will nail down date for visit to Washington.
21 Good luck"? Did you --

22 A Yes.

23 Q -- read that one? You were not aware of this back-channel
24 efforts by Ambassador Volker? Is that what your testimony is?

25 A At what point in time?

1 Q At this point.

2 A In the lead-up to the call on July 25?

3 Q Right.

4 A No.

5 Q And prior to reading about it in the news, did you become
6 aware of --

7 A Yes.

8 Q Okay. When did you become aware?

9 A I can't recall exactly, but it was something that Ambassador
10 Taylor brought to my attention.

11 Q Okay. In the July 28th call you had with him?

12 A No.

13 Q All right.

14 Let's get to the July 25th call. Where did you listen to the call?

15 A The White House Situation Room.

16 Q Who else was in the Situation Room with you?

17 A To the best of my recollection, Rob Blair from the White House
18 Chief of Staff's office, [REDACTED] from NSC Press, Alexander Vindman
19 from my office, Jennifer Williams, and General Keith Kellogg from OVP.

20 Q Was Dr. Kupperman there?

21 A He was not in the Situation Room.

22 Q Do you know whether he was listening to the call elsewhere?

23 A I have been informed, based on review of open-source material
24 after the fact -- and I can't speak to its veracity -- that he was.

25 Q But you didn't learn from him directly at that point?

1 A No.

2 Q Do you know whether Secretary Pompeo joined the call?

3 A I've learned from open-source reporting after the fact that
4 Secretary Pompeo's counselor was listening to the call on a drop line,
5 but I can't independently vouch for that fact.

6 Q Okay. Well, let me ask you this question: Do you know
7 whether any other American officials were listening to the call who
8 were not in the Situation Room?

9 A Yes.

10 Q Who?

11 A WHSR personnel who prepare the MEMCON package.

12 Q What personnel?

13 A Sorry. White House Situation Room.

14 Q Okay. They're the ones who prepare the summary of the call
15 that has been released?

16 A They prepare the original input to the MEMCON package that
17 we then review.

18 Q Okay.

19 To your knowledge, did President Trump follow the talking points
20 that you had prepared for him?

21 A On advice of counsel, I can't answer that question.

22 Q Okay. Sorry. I'm just pulling up your -- Mr. Morrison --

23 A I would like to clarify, I was not the sole author of the
24 briefing package. I was the final reviewing authority.

25 Q Understood. Who was the other -- who was the primary author?

1 A Alex Vindman.

2 Q So, as you were listening to the call, did there come a time
3 when you became concerned about anything that you heard?

4 A Yes.

5 Q And what do you recall being the first time -- for the first
6 moment that you were concerned, what was the subject that concerned
7 you?

8 A So I was concerned about how President Zelensky was talking
9 to President Trump. I found it obsequious. I heard issues related
10 to the server. And I was concerned that Dr. Hill was correct about
11 this parallel process. And I grew concerned that the call was not the
12 full-throated endorsement of the Ukraine reform agenda that I was
13 hoping to hear.

14 Q What language did President Zelensky speak?

15 A I recall him speaking sort of chopped English, but he also
16 had a translator.

17 Q Meaning that he also spoke Ukrainian?

18 A Yes.

19 Q Okay. Do you speak Ukrainian?

20 A No.

21 Q You said that when you heard the server mentioned that
22 confirmed the concerns of Dr. Hill -- or, sorry, that concerned the
23 alternative process of Dr. Hill, what do you mean by that?

24 A It merely provided confirmation of the concerns Dr. Hill
25 raised about this parallel process that was completely new to me. This

1 is one of the topics she advised was in that parallel process.

2 Q And did it concern you because this was now the President
3 of the United States promoting those alternative views?

4 A My primary concern was I was focused on -- I was waiting for
5 the President to talk a little bit more forward-leaning -- with a little
6 bit more of a forward-leaning endorsement of the Zelensky reform
7 agenda.

8 Q Okay, but you specifically said that the server confirmed
9 for you that there was an alternative process that was -- but I guess
10 you knew there was an -- or you had been told there was an alternative
11 process. What was your concern hearing President Trump?

12 A I was not directly aware of it. I was not directly aware
13 of it firsthand, personally, until that point.

14 Q Got it.

15 Do you recall in the moment when President Trump started talking
16 about Ambassador Yovanovitch?

17 A I recall -- I don't think he mentioned her name, but I recall
18 him making an oblique reference that I later understood was Ambassador
19 Yovanovitch.

20 Q And did you have an immediate reaction to that?

21 A No.

22 Q Do you recall hearing him mention Bidens?

23 A Yes.

24 Q And what was your immediate reaction to that?

25 A Again, it was more confirmation of what Dr. Hill had informed

1 me was out there.

2 Q You said that an NSC Legal -- no one from the NSC Legal
3 Advisor's Office was in the room but that you promptly went to see the
4 NSC Legal Advisor and his deputy to -- or you asked them to review it.
5 Who are you referring to, with the NSC Legal Advisor and the deputy?

6 A The NSC Legal Advisor is John Eisenberg. His deputy is
7 Michael Ellis.

8 Q How promptly after the call did you ask them to review it?

9 A It was fairly contemporaneous. It was -- I don't recall if
10 it was the first thing I did after the call, but it was fairly short
11 order.

12 Q And why did you go to speak to them to ask them to review
13 it?

14 A Originally -- so my initial concern was, as I said in my
15 statement, there was nobody from the Legal Advisor's Office on the call.
16 I wanted them to have eyes on it. I didn't want it to fall to one of
17 their deputies, one of the line attorneys. I wanted them to put eyes
18 on it.

19 Q Why?

20 A Because I was concerned about whether or not they would agree
21 that it would be damaging for the reasons I outlined in my statement
22 if the call package -- if the call MEMCON or its contents leaked.

23 Q So your primary concern after this call occurred was that
24 it would leak?

25 A Yes.

1 Q You weren't -- I understand that you didn't think that it
2 was illegal, but did you think that it was appropriate or proper?

3 A Did I think what was appropriate or proper?

4 Q President Trump's conversation. Do you think that
5 President Trump's words were proper?

6 A I did not have a view on that.

7 Q Okay. So you were just concerned that it would leak. And
8 you were concerned that it would leak you gave for three reasons in
9 your opening statement. The first is how it would play out in
10 Washington's polarized environment. So is another way of saying that
11 that you were concerned about the political implications of that?

12 A I was concerned about how the contents would be used in
13 Washington's political process.

14 Q Because you thought it would look poorly on the President?

15 A Well, I mean, it's really the three reasons I outlined. It
16 was, I was concerned about how it could be used. I didn't necessarily
17 fully understand how everybody could use it, but I was concerned that
18 it would wind up politicizing Ukraine. I was concerned that that
19 would, in turn, cost bipartisan support. And I was concerned about
20 how the Ukrainians would internalize that.

21 Q Well, the Ukrainians were obviously on the call.

22 A Yes.

23 Q So what was your concern about them?

24 A Well, there's one thing for what they hear firsthand from
25 the President; there's another thing for how that then gets used in

1 the political process.

2 Q But you weren't concerned what they heard about firsthand.
3 You were just concerned about what they would hear in the political
4 process?

5 A Yes.

1 [9:10 a.m.]

2 BY MR. GOLDMAN:

3 Q Why were you more concerned about the political process
4 rather than what they heard from the President of the United States?

5 A I can't speak to that. I'm simply retelling you what I was
6 worried about when I heard the call and why I went over and talked to
7 the Legal Advisor.

8 Q Why can't you speak to that?

9 A I'm trying to relate to you what I thought at the time. This
10 is what I thought at the time as I related it in my statement.

11 Q Right. I understand what you said in your statement. I'm
12 curious, though, that you were concerned about the effect on Ukrainian
13 perceptions of a leak, but you were not concerned about Ukrainian
14 perceptions from the content of the conversation?

15 A Correct.

16 THE CHAIRMAN: Did you have anything you wanted to add?

17 MR. MORRISON: No, sir.

18 THE CHAIRMAN: Okay. I just wanted to follow up a bit on this.
19 One of the concerns, and there may be an overlap between the first two
20 concerns you mentioned about the call, and if the call became public.
21 First, you said you were concerned how it would play out in Washington's
22 polarized environment and, second, how a leak would affect bipartisan
23 support for our Ukrainian partners.

24 Were those concerns related to the fact that the President asked
25 his Ukrainian counterpart to look into or investigate the Bidens?

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1 MR. MORRISON: No, not specifically.

2 THE CHAIRMAN: So you didn't think that the President of the
3 United States asking his counterpart to conduct an investigation into
4 a potential opponent in the 2020 election might influence bipartisan
5 support in Congress?

6 MR. MORRISON: No.

7 THE CHAIRMAN: And you weren't concerned that the President
8 bringing up one of his political opponents in the Presidential election
9 and asking a favor with respect to the DNC server or 2016 theory, you
10 weren't concerned that those things would cause people to believe that
11 the President was asking his counterpart to conduct an investigation
12 that might influence his reelection campaign?

13 MR. MORRISON: No.

14 THE CHAIRMAN: That never occurred to you?

15 MR. MORRISON: No.

16 THE CHAIRMAN: Did you recognize during the -- as you listened
17 to the call that if Ukraine were to conduct these investigations, that
18 it would inure to the President's political interests?

19 MR. MORRISON: No.

20 BY MR. GOLDMAN:

21 Q Did the President's discussion of CrowdStrike, the server,
22 and the Bidens, was that consistent with what you understood to be U.S.
23 official policy towards Ukraine?

24 A No.

25 Q Did you have any further conversations with John Eisenberg

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1 or Michael Ellis about this call?

2 A Subsequent to when I talked to them on the 25th, did I have
3 additional conversations with them about the call?

4 Q Yes.

5 A Yes.

6 Q When was the next conversation that you had?

7 A It may have been later that day.

8 Q Okay. And had they reviewed the call transcript by the time
9 you had your second meeting -- or the preliminary --

10 A Yes.

11 Q -- transcript? And what was the purpose of that second
12 conversation with them?

13 A I recommended to them that we restrict access to the package.

14 Q And how did you recommended to do that?

15 A I recommended that we did not need quite so many people to
16 have access to the package.

17 Q Did you recommend a specific way to restrict access?

18 A No, I did not.

19 Q Why were you concerned about a leak of this call? I'm sorry.
20 Why did you think this call may be leaked?

21 A Because it's been my experience in government there's very
22 little that doesn't.

23 Q Had you ever asked for restricted access to any other head
24 of state call that you listened in on?

25 A Could you restate?

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1 Q Have you listened to other calls between President Trump and
2 foreign leaders?

3 A Yes.

4 THE CHAIRMAN: In that regard, Mr. Morrison, were there any other
5 calls that you listened in on where immediately thereafter you went
6 straight to the Office of the Legal Counsel?

7 MS. VAN GELDER: I'm sorry. You can't answer that. I think that
8 in looking at your subpoena, it's outside the bounds of what he has
9 been subpoenaed to testify about.

10 THE CHAIRMAN: Well, with respect, Counsel, if this is the only
11 time that he went directly to the legal counsel's office, that would
12 be relevant. If this was a routine practice, that would also be
13 relevant.

14 Mr. Morrison, can you tell us whether there were any other calls
15 where you went essentially directly from the call to the Office of Legal
16 Advisor?

17 MS. VAN GELDER: Can he answer the question whether it was routine
18 or --

19 THE CHAIRMAN: Yes. Let's ask it that way.

20 Was it routine for you, after a Presidential call that you
21 listened in on, to go to the Legal Advisor?

22 MS. VAN GELDER: To restrict access, to ask to restrict accesses.

23 THE CHAIRMAN: No. I'm just asking whether --

24 MS. VAN GELDER: Okay. All right.

25 THE CHAIRMAN: -- this was unusual, or your usual practice after

1 listening in on Presidential call to go directly to the legal counsel?

2 MR. MORRISON: Not to the best of my recollection.

3 THE CHAIRMAN: I just want to make sure that I'm understanding
4 your answer.

5 To the best of your recollection, this was unusual?

6 MR. MORRISON: Sir, I'm trying to be careful in my answer in terms
7 of I don't want to say something that I subsequently have a different
8 recollection about. I am specifically prepared, for the purpose of
9 today's hearing, on the scope you outlined in your letter. So I
10 specifically looked into what I did with respect to the July 25th phone
11 call. There were other calls I listened in to. I did not invest any
12 time in attempting to recall everything I did about those calls.

13 THE CHAIRMAN: No, I'm not asking about everything that you did
14 with respect to other calls. Let me ask you this way: Was it your
15 practice to go immediately to the legal counsel's office after you
16 listened in on Presidential calls or was this unusual?

17 MR. MORRISON: It was not my practice.

18 THE CHAIRMAN: Mr. Goldman.

19 BY MR. GOLDMAN:

20 Q Have you ever asked the legal counsel to restrict access on
21 any other Presidential phone call?

22 A Could you restate the question?

23 Q Had you ever asked the Legal Advisor --

24 A No.

25 Q -- to restrict access? The answer is no.

1 Do you recall whether the White House released a readout of this
2 call?

3 A Yes.

4 Q It did? The White House did, publicly?

5 A A press readout after the call? No, I guess I don't recall.

6 Q You prepared one, though?

7 A Yes.

8 Q Was that prepared in advance of the call?

9 A Yes.

10 Q Did it have to be changed after the call?

11 A It was -- it may have been. It was not uncommon for us to
12 adapt a prepared statement for what actually transpired on the call.

13 Q Understood. But do you recall specifically whether you had
14 to change the press release or read public readouts?

15 A I don't recall specifically.

16 Q Was that a pre-prepared press release based on the talking
17 points that you and Lieutenant Colonel Vindman had prepared?

18 A Our process is to coordinate with NSC press to prepare a
19 statement to issue after a call based on, yes, what we expect to come
20 up in the call.

21 Q Going back to your conversations with the Legal Advisor, just
22 to recap, you asked them to restrict access. Did you say anything else
23 to them about the call?

24 A I asked them to take a look at the call, because I didn't
25 see anybody from their office on the call.

1 Q That was in the first conversation?

2 A Correct.

3 Q The second conversation?

4 A I recommended that we restrict access to the package.

5 Q And did you say anything else about the substance of the
6 call --

7 A Not that I recall.

8 Q -- to them? Did you speak to both Eisenberg and Ellis the
9 second time?

10 A I believe so.

11 Q And who responded to your request to restrict access that
12 you recall?

13 A Who responded?

14 Q Yes. Ellis or Eisenberg?

15 A It was an in-person conversation. I don't recall which of
16 them spoke.

17 Q Okay. What was their response?

18 MS. VAN GELDER: I'm going to ask you for this one --

19 MR. MORRISON: They agreed.

20 MR. GOLDMAN: Did they indicate to you whether they had spoken
21 to anyone else about the call?

22 MS. VAN GELDER: That --

23 MR. GOLDMAN: The fact of the conversation is not privileged.

24 MS. VAN GELDER: I agree with you on that. If you go farther,
25 you're right. I was premature, and I withdraw my objection.

1 BY MR. GOLDMAN:

2 Q Did they indicate whether they had spoken to anyone else?

3 A Yes, I understood they did.

4 Q Who?

5 A The NSC Executive Secretariat.

6 Q Was that in connection to your request to restrict the
7 access?

8 A Yes.

9 Q And did they speak -- do you know if they spoke to anybody
10 else who listened to the call?

11 A No.

12 Q Did you have an opportunity to review the transcript to make
13 edits based on your notes?

14 A I wouldn't agree it was a transcript.

15 Q Understood. Sorry. How would you like to describe it?

16 A A MEMCON package.

17 Q A MEMCON package. Did you review the MEMCON package in order
18 to make any edits based on your notes?

19 A I reviewed the package. I do not recall making any edits.

20 Q But the purpose of the reviewing the package was to review
21 your notes and make any edits that you deem necessary?

22 A Yes, but it's also to review the original speech-to-text
23 translation of the call.

24 Q And by the time that you reviewed it, had the transcript
25 already diverted from the normal procedures?

1 A No.

2 Q At some point did you become aware of whether it was put into
3 the highly classified [REDACTED] system?

4 [Discussion off the record.]

5 MR. MORRISON: I don't want to acknowledge the terms for the
6 systems, but yes.

7 BY MR. GOLDMAN:

8 Q We will just talk about a highly classified system.

9 And were you ever provided with an explanation for why it was
10 placed in the highly classified system?

11 A Yes.

12 Q What was the explanation you were given?

13 A It was a mistake.

14 Q It was a mistake?

15 A Yes.

16 Q Who told you that?

17 A John Eisenberg.

18 Q When did he tell you that?

19 A It would have been in the course of preparing the President
20 for the meeting between himself and President Zelensky in Warsaw.

21 Q How did that conversation come up?

22 A Because I tried to gain access to the package.

23 Q And what happened when you tried to gain access?

24 A It was no longer in the portal.

25 Q And what did you do next?

1 A I figured out where it was.

2 Q How?

3 A By talking to the Executive Secretariat staff.

4 Q And it turned out that it was in this highly classified
5 system?

6 A Yes.

7 Q And Eisenberg told you it was a mistake to have been put it
8 there?

9 A The Exec-Sec staff related that they believed they were
10 instructed by John Eisenberg to put it on that system.

11 Q And so whose mistake was it to put it on the system?

12 A Their mistake.

13 Q So, just to be clear, John Eisenberg said to the Executive
14 Secretary -- said that Executive Secretary made a mistake by putting
15 it on the highly classified system?

16 A Yes.

17 Q And this was after John Eisenberg had told you that he agreed
18 that access would be restricted?

19 A Yes.

20 Q Are you aware of any other Presidential phone calls that were
21 put on the highly classified system?

22 A I have no firsthand knowledge of that.

23 Q To your knowledge, there was nothing in this MEMCON that
24 would meet the requirements to be put on a highly classified system,
25 correct?

1 A Correct. Sorry.

2 Q Did you have any further discussions with John Eisenberg
3 about removing it from the highly classified system?

4 A Yes.

5 Q Describe what -- that conversation.

6 It is not privileged.

7 MS. SEWELL: [Presiding.] I just want to remind the attorney
8 that it is important that you speak into the mike --

9 MS. VAN GELDER: Oh, I'm sorry.

10 MS. SEWELL: -- so that it can be transcribed. Thank you.

11 MR. CASTOR: When you confer with your client, why don't you turn
12 the mike off?

13 MS. VAN GELDER: Did you hear what I said, Steve?

14 MR. CASTOR: I did not.

15 MS. VAN GELDER: Thank you.

16 MS. SEWELL: But at any rate, formally speaking into the mike when
17 transcribed.

18 MS. VAN GELDER: We have a height difference here.

19 MS. SEWELL: Gotcha.

20 MS. VAN GELDER: In an effort to continue this, can he speak in
21 a general term and then if you want to follow up?

22 MR. GOLDMAN: Sure.

23 MR. MORRISON: Could you repeat the question?

24 BY MR. GOLDMAN:

25 Q So describe, generally, the conversation that you had about

1 John Eisenberg about after he said it was a mistake and whether there
2 was any discussion about moving it out of that system.

3 A So when we -- if we're still on when we were trying to gain
4 access to it to prepare the President for the planned Warsaw meeting,
5 it was, how did it get on there. John related that he did not ask for
6 it to be put on there, but that the Executive Secretariat staff
7 misunderstood his recommendation for how to restrict access.

8 Q So he understood that he had told the Executive Secretary
9 staff to restrict access, that much he acknowledged?

10 A He acknowledged -- he agreed with my recommendation and he
11 had also informed the Exec-Sec staff to restrict access.

12 Q What other ways would there be to restrict access?

13 A You have to understand the portal system. You can assign
14 access to any particular package on, really, any topic to an entire
15 distribution list for an entire directorate, like my directorate, the
16 EUR directorate, or you can, by name, assign access.

17 Q And just to be clear, you did not ask for this MEMCON to be
18 placed on this highly classified system?

19 A I did not.

20 Q Okay.

21 MR. GOLDMAN: I think our time is up, so we yield to the minority.

22 MS. SEWELL: The minority will have 1 hour.

23 MR. CASTOR: Thank you.

24 BY MR. CASTOR:

25 Q When you mentioned to John Eisenberg your concerns about the

1 memo leaking, did you have any idea what might be implemented other
2 than put it on the highly classified system?

3 A I had in mind that we would by name -- that we would restrict
4 access to by name access.

5 Q And that can be done on the system that's not highly
6 classified?

7 A That's correct. That's the function of the Exec-Sec
8 personnel.

9 Q Okay. Did you have any -- you talked about two
10 communications you had with Eisenberg, Ellis. Any others about that
11 referred or related to the 7/25 call?

12 A So, in the course of preparing Ambassador O'Brien for
13 the -- what became the POTUS-Zelensky meeting at the U.N. General
14 Assembly, we again sought access and it was again still restricted.
15 So I recall talking to John at that time of, John, did we ever figure
16 out how to get this thing moved down?

17 Q Did Eisenberg or Ellis ever approach you about other concerns
18 that were raised to them by other people?

19 A Based -- I'm going to be clear -- based on the July 25 call?

20 Q Correct.

21 A No.

22 Q Did you know if anybody else listening to the call --

23 A -- ever, ever? Not to the best of my recollection.

24 Q Okay. Do you know if anyone else on the call went to
25 Eisenberg to express concerns?

1 A I learned based on preparing for today's proceedings, based
2 on open-source reporting, which I have no firsthand knowledge, that
3 other personnel did raise concerns.

4 Q Who?

5 A Based on the open-source reporting, without firsthand
6 knowledge, Alex Vindman on my staff.

7 Q And he reports to you, correct?

8 A He does.

9 Q Did you find it unusual when you learned that that your direct
10 report went to Mr. Eisenberg?

11 A Unfortunate, but not unusual.

12 Q Can you explain that?

13 A My predecessor had a different style for managing her staff
14 than I do.

15 Q And what was that style?

16 A She did not have the same view of how reporting through the
17 chain of command should work.

18 Q Okay. So it was your expectation that people who reported
19 to you ought to keep you in the loop about important matters?

20 A Yes.

21 Q And so people if people that reported to you needed to go
22 talk with the legal team about concerns they had, you would expect to
23 be kept in the loop?

24 A Depending upon the issue.

25 Q Okay. If the issue didn't involve any, you know, sensitive

1 misconduct or employee issues?

2 A Yes.

3 Q So, if it is official business, you would expect to have a
4 conversation with your direct reports before communicating with the
5 lawyers?

6 A Yes.

7 Q And it wasn't until -- at what point did you learn that
8 Lieutenant Colonel Vindman went to Mr. Eisenberg?

9 A About the July 25th phone call?

10 Q Yes.

11 A In the course of reviewing for this proceeding, reviewing
12 the open record.

13 Q So relatively recently?

14 A Yes.

15 Q So Eisenberg never came to you and relayed to you that
16 conversation?

17 A No.

18 Q Ellis didn't either?

19 A Not to the best of my recollection.

20 Q The memorandum of conversation that, the MEMCON, you
21 believed it was accurate?

22 A I believe it was accurate and complete.

23 Q And in your view, there was nothing improper that occurred
24 during the call?

25 A Correct.

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1 Q Nothing illegal?

2 A As I said in my statement, correct.

3 Q And that you're your only reason for going to legal counsel
4 was because you were concerned about leaks?

5 A No, there were two reasons. I was concerned about leaks,
6 but I also wanted to make sure that the package was reviewed by the
7 appropriate senior level attention.

8 Q Okay. Fair enough. Had there been any leaks that you had
9 been aware of that give you concern that these things have been -- you
10 know, that leaks is something to be worried about?

11 A Yes.

12 Q Okay. And what can you tell us about other leaks generally?

13 MS. VAN GELDER: Sorry, Mr. Castor. I'm not going to have him
14 go beyond the scope of his testimony here today.

15 BY MR. CASTOR:

16 Q But there have been enough leaks that you had a generalized
17 concern about that?

18 A Yes.

19 Q During the course of the editing process of the MEMCON, were
20 you in the loop with other individuals who supplied or suggested edits
21 to the package?

22 A I am effectively the final clearing authority.

23 Q Okay. Were you aware of Colonel Vindman's suggested edits?

24 A I saw edits in the package made by Colonel Vindman and others.

25 Q Okay. Do you remember what Colonel Vindman's edits were?

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1 Q Here is exhibit 1. Here are a couple of extra copies if you
2 want to mark it up.

3 I'm going to refer you to page 4. The last line of the first
4 paragraph ending in, "So if you can look into it... it sounds horrible
5 to me." Do you recall if anybody offered edits to fill in the gap there
6 for the ellipse?

7 A I do not.

8 Q And would an ellipse ordinarily, in your experience, mean
9 what?

10 A That this is a conversation and it doesn't necessarily occur
11 in complete sentences.

12 Q Okay. So the ellipse could mean that the speaker trailed
13 off without finishing a sentence?

14 A It could.

15 Q Could it mean anything else?

16 A That's the most commonplace meaning. Usually if something
17 is said that is inaudible, we would note in brackets "inaudible."

18 Q Okay.

19 Then I want to refer you to the very next paragraph. I think it
20 is the seventh line down, sixth line down, as the sentence reads: He
21 or she will look into this situation, specifically to the company that
22 you mentioned in this issue -- and this is President Zelensky speaking.

23 Do you remember if anybody supplied edits to this part of the
24 MEMCON?

25 A I do not.

1 Q Okay. And you were on the call. Do you remember whether
2 the name Burisma came up on the call?

3 A No, I don't believe it did.

4 Q Okay. Do you remember whether anyone suggested edits adding
5 the word Burisma to the MEMCON?

6 A I do not.

7 Q Okay. But if somebody had suggested that edit, was on the
8 call, and your contemporaneous recollection that the word was
9 mentioned, you would have gone ahead and implemented the edit?

10 A Had I recalled or had in my notes that was mentioned, yes,
11 I would have agreed to the edit.

12 Q Did you have any conversations, emails, communications with
13 Dr. Kupperman about this call?

14 A Not that I recall.

15 Q Okay. Anybody else on the call or your chain of command that
16 you spoke with about the call?

17 A Beyond those I've already mentioned?

18 Q Yes.

19 A No.

20 Q And with those that you've mentioned, did you have any
21 communications with them about concerns, about the content of the call?

22 A Within my chain of command?

23 Q Within either the people on -- on the call and you mentioned
24 Blair, [REDACTED], Vindman, Williams, Kellogg, and then your chain of command
25 would be Dr. Kupperman, Ambassador Bolton.

1 A Uh-huh.

2 Q So that's sort of the universe I'm thinking about here.

3 A Uh-huh.

4 Q And also Mr. Eisenberg.

5 A Uh-huh.

6 Q Did you have any communications with any of that group about
7 concerns, whether they were your concerns or anyone in that group's
8 concerns?

9 A My only recollection of discussing concerns was with John
10 and Michael.

11 Q Okay. And it was about the leak issue?

12 A Yes.

13 Q During the July 25th call, you're in the Situation Room,
14 the -- I think you referred to them as the WHSR staff?

15 A Yes.

16 Q How many officials prepare the -- I'm going to say
17 transcript -- that's not the right term, as I understand it, but how
18 many Situation Room officials are transcribing the call?

19 A I don't know.

20 Q Do they do the -- their work in a different room?

21 A Yes.

22 Q So it is an anteroom off the Situation Room?

23 A It's more appropriate to think of the Situation Room as a
24 large facility of which the listening room is a small private conference
25 room.

1 Q So they are in another part of the Situation Room complex?

2 A Yes.

3 Q Do you know how they prepare their transcript? Do they have
4 court reporting type devices, or do they speak into a microphone?

5 A I have no firsthand knowledge. My knowledge of how they do
6 it this is limited to what I have observed -- what I have read in
7 reporting in preparation for today exclusively.

8 Q Okay. From your experience of MEMCONs generally, are they
9 considered accurate among those in the building?

10 A Could you restate or be more specific?

11 Q Are MEMCONs, within the building, within the NSC generally
12 considered definitive documents?

13 A We do our best to adhere to the Presidential Records Act.

14 Q Okay. So --

15 A It should be a complete and accurate retelling of the
16 conversation.

17 Q Okay. And have there any been any episodes where you can
18 remember where people were --

19 MS. VAN GELDER: He's not going to answer that.

20 Mr. Castor, and just for the record the basis is it is outside
21 the scope of this inquiry.

22 MR. CASTOR: Okay.

23 BY MR. CASTOR:

24 Q Did you subsequently have a conversation with Ambassador
25 Taylor about what occurred on the July 25th call?

1 A Yes.

2 Q And do you remember when that was?

3 A I remember reaching out to Ambassador Taylor to that day to
4 find out when we could schedule a secure call so I could provide him
5 what I deemed an appropriate readout of the call.

6 Q Okay. And when did that occur?

7 A Um --

8 Q To the best of your recollection.

9 A So I think Ambassador Taylor's statement is generally about
10 the right timeframe for when we were able to get on a secure call
11 together.

12 Q Okay. And what do you remember relating to Ambassador
13 Taylor about the call?

14 A As I said in my statement, I think his -- his statement is
15 generally correct. I gave him a general readout of the call, and I
16 told him I think it could have gone better.

17 Q And why did you think the call could have gone better?

18 A As I said in my statement, and subsequent to that in answering
19 questions today, I was hoping for a more forward leaning embrace of
20 President Zelensky's reform agenda from the President.

21 Q In the course of your duties, what other officials did you
22 provide a readout to about the call? Were there any other interagency
23 partners that you had to brief? Anybody at the State Department?

24 A Not that I recall.

25 Q Okay. So including Ambassador Taylor, we sort of identified

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1 all of the folks you spoke to about the call during the time period?

2 THE CHAIRMAN: If I could interject here and counsel warned about
3 this at the initiation of the hearing. We want to make sure that there
4 is no effort to try to, by process of elimination, identify the
5 whistleblower. If you think these questions are designed to get at
6 that information, or may produce that information, I would encourage
7 you to follow your counsel's advice.

8 [Discussion off the record.]

9 MR. MORRISON: Could you repeat the question?

10 BY MR. CASTOR:

11 Q Just wondering if you had any other communications about the
12 call?

13 A Not that I -- not that I can recall.

14 Q Colonel Vindman, he reports to you. What types of officials
15 in the course of his duties would he be responsible for providing
16 readouts to?

17 [Discussion off the record.]

18 MR. MORRISON: He -- he may have felt it appropriate to speak to
19 other departments and agencies if they had questions about the call.

20 BY MR. CASTOR:

21 Q Do you know if he did?

22 A Yes.

23 Q And who -- do you know who he spoke to?

24 MS. VAN GELDER: I'm not going to allow him to answer that, it
25 is beyond the scope of this inquiry.

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1 MR. CASTOR: How is that, we're talking about the 7/25 call, just
2 asking if he knew who Lieutenant Colonel Vindman provide readouts to.

3 MS. VAN GELDER: Yes. And he is to talk about his knowledge with
4 respect --

5 MR. CASTOR: Well, I'm not asking him to testify about something
6 he doesn't know about.

7 MS. VAN GELDER: I'm just saying it is outside the scope of what
8 I believe his testimony is, which is whether President Trump
9 jeopardized U.S. national security by pressing Ukraine to interfere
10 with the 2020 election, and by withholding a White House meeting with
11 Ukraine and military assistance provided by Congress to help Ukraine
12 counter Russian aggression, as well as any efforts it to cover up these
13 matters.

14 If you would like to ask him if he knows of anybody who has asked
15 to cover up those matters --

16 MR. CASTOR: Oh, no, I'm just asking about readouts that Vindman,
17 an official who works for Morrison, gave on the call.

18 MS. VAN GELDER: Mr. Castor, with all due respect, we can talk
19 with counsel as I already have an appointment with Mr. Goldman during
20 the break on how we can maybe work around these.

21 MR. CASTOR: Okay.

22 MS. VAN GELDER: But right now I'm going to instruct him not to.

23 THE CHAIRMAN: And again, I want to express my concern that these
24 questions are designed to try to identify and out the whistleblower.
25 And I would hope that's not counsel's intention. The whistleblower

1 has a right to anonymity. There are public reports that the life of
2 the whistleblower has been threatened. We do not want this committee
3 used, or this testimony used, to try to exact political retribution
4 again the whistleblower. So I would, again, urge caution to both
5 counsel and the witness to avoid anything that presents that risk.

6 MR. CASTOR: Just so I'm clear, the objection to answering the
7 question is it related to that or is it related to executive privilege?

8 MS. VAN GELDER: My objection, it is beyond scope of his
9 deposition testimony. His subpoena is related to his letter. His
10 letter does not relate to who Vindman spoke to about a call.

11 MR. CASTOR: Okay.

12 BY MR. CASTOR:

13 Q Can I ask whether you know or don't know, because if you don't
14 know, then this kind of ends this.

15 MS. VAN GELDER: I think that if the way that -- sorry -- the way
16 the state of the play right now is do you know if he talked to anybody
17 about this?

18 MR. CASTOR: In his official -- in the course of his official
19 duties, the people he's supposed to be talking to.

20 MS. VAN GELDER: And he said he may have. He has no firsthand
21 knowledge. I assume that Lieutenant Vindman preceded us and you have
22 your answer.

23 MR. CASTOR: Okay. I'm just asking if the witness knows. If he
24 doesn't know, that would be the answer.

25 MS. VAN GELDER: We can talk about this later, Mr. Castor. I

1 really am not trying to --

2 MR. CASTOR: I'm not trying to --

3 MS. VAN GELDER: I've worked with you before, I understand. We
4 can talk later.

5 MR. CASTOR: Do you know if Lieutenant Colonel Vindman had
6 communications with any State Department officials like George Kent?

7 MS. VAN GELDER: We're not going to talk about anybody Mr. Vindman
8 had conversations with.

9 MR. CASTOR: Okay. Can I ask him about his conversations with
10 Mr. Vindman, or Colonel Vindman?

11 MS. VAN GELDER: You may. My instruction, again, not by the
12 White House, not by anyone. My instruction based on my reading of the
13 applicable court documents, which were never cited which is U.S. v.
14 Myers is a question-by-question basis.

15 MR. CASTOR: Fair enough. Just to be clear, like I want to try
16 to get around these things and get as much information as we can in
17 our hour. And we will --

18 BY MR. CASTOR:

19 Did you have any communication with Colonel Vindman about the
20 call?

21 A Yes.

22 Q How many?

23 A I -- I can't recall precisely, but --

24 Q Okay. What do you remember about your communications with
25 Colonel Vindman about the call?

1 [Discussion off the record.]

2 MR. MORRISON: Alex and I spoke about the preparation of the
3 package and what we believed needed to be done make the package as true
4 as possible?

5 BY MR. CASTOR:

6 Q Did Colonel Vindman express any concerns to you about what
7 happened on the call?

8 A Yes.

9 Q What were his concerns?

10 A He had two namely. He was concerned, as I was, that the call
11 did not get into the subject matter we had hoped. And he had concerns
12 about the fidelity of the translation.

13 Q And that communication occurred during the course of the
14 preparation of the MEMCON package?

15 A That communication did, yes.

16 Q Okay. Did you have any subsequent communications with him?

17 A Yes.

18 Q And what's the next time you remember where he raised
19 concerns about the subject of the call -- content of the call?

20 [Discussion off the record.]

21 MR. MORRISON: Could you repeat your question?

22 BY MR. CASTOR:

23 Q What's the next time you remember talking to Mr. -- Colonel
24 Vindman, or emailing with Colonel Vindman about any concerns he might
25 have had about what happened on the call?

1 A About concerns he had about what happened on the call?

2 Q Yes.

3 A That was the only time I recall him expressing concerns about
4 the content of the call.

5 Q Okay. Did you have any other communications with him about
6 the call?

7 A Yes.

8 Q And what were those?

9 MS. VAN GELDER: You're not going to talk about that.

10 BY MR. CASTOR:

11 Q Was Colonel Vindman on the call you had with Ambassador
12 Taylor?

13 A No.

14 Q And was that unusual? Like, if you were going to have a call
15 with the ambassador to one of other countries in your portfolio, would
16 you ordinarily, in the regular course of your duties, include the
17 director with responsibility for that country on that call?

18 A At this point -- at this point, I was 10 days in to the this
19 assignment. I had been in the office for maybe 4 days, because I had
20 been on travel the first week. And so, I don't know that there was
21 an ordinary at this point. It was my decision to have the conversation
22 one on one with Ambassador Taylor.

23 Q Okay. Did you give a readout of that call to Colonel
24 Vindman?

25 A Yes.

1 Q Okay. And what do you remember relating to Colonel Vindman?

2 A Just that I briefed Bill. Bill was concerned and that
3 was -- that was effectively -- and it was a brief readout.

4 Q Okay. Did Colonel Vindman express concerns that he wasn't
5 on the call with you?

6 A He may have.

7 Q Okay. In -- we'll get into Ambassador Sondland, your
8 experience with him.

9 A Yes.

10 Q When was the first time you met him?

11 A July 10.

12 Q And was that before or after Dr. Hill had related to you her
13 experiences with the Ambassador?

14 A After.

15 Q And did you -- subsequent to that, did you have regular
16 communications with Ambassador Sondland?

17 A I don't know about regular, because that speaks to
18 periodicity. But I had -- it was not uncommon for me to have a
19 conversation with Gordon.

20 Q Did he relate to you that he speaks to the President --

21 A Yes.

22 Q -- with some frequency?

23 A I don't know that he spoke to the frequency.

24 Q Okay. But it was your understanding that, in his own mind,
25 he believed he had a lot of conversations with the President?

1 A Yes.

2 Q And there are times in Ambassador Taylor's statement where
3 he is relating information you conveyed to him that was conveyed to
4 you by Ambassador Sondland?

5 A Yes.

6 Q And to the best of your knowledge, you were relating to
7 Ambassador Taylor what you believe Ambassador Sondland related to you?

8 A Yes.

9 Q And -- but you're not able to evaluate whether -- what
10 Ambassador Sondland was telling you was accurate?

11 A Correct.

12 Q Did you have any concerns that anything Ambassador Sondland
13 was telling you may have been exaggerated or inaccurate?

14 A Yes.

15 Q And why is that?

16 A Fiona's -- Dr. Hill's admonitions and my own read of
17 Ambassador Sondland's sense of self-importance.

18 Q Okay. Do you think that Ambassador Sondland believed what
19 he was saying, or do you think that he exaggerated intentionally?

20 A I believed that Ambassador Sondland believed what he was
21 saying.

22 Q Okay. But if he was relating something that may have fallen
23 in the exaggeration category, you know, he may have just
24 misinterpreted?

25 A I -- I believe that Ambassador Sondland believed what he was

1 telling me is what he -- is what he thought occurred.

2 Q Okay. He related to you a number of communications he had
3 with the President?

4 A Yes.

5 Q And is there any way to know whether he was actually talking
6 to the President?

7 A Yes.

8 Q Okay. And you believe he was?

9 A I was not able to confirm every time he said he talked to
10 the President, but I did so as often as I had the time to do.

11 Q Okay. And were there times when he indicated he was talking
12 to the President, when you came to learn he was not?

13 A No.

14 Q I want to direct your attention to --

15 THE CHAIRMAN: Counsel, if I could, I have got to go up to the
16 floor to speak on the resolution on the impeachment process. If there
17 are any disputes about whether questions are appropriate or not
18 appropriate, or should or should not be answered, we can hold those
19 into abeyance until I return.

20 MR. CASTOR: Okay. I will try to stay out of any of those areas.

21 THE CHAIRMAN: Thank you, Counsel.

22 BY MR. CASTOR:

23 Q I'd like you to turn your attention to Ambassador Taylor's
24 statement that you referenced, page 9, the penultimate paragraph, my
25 concerns have -- about midway through the penultimate paragraph: My

1 concerns deepened the next day sentence.

2 Ambassador Taylor is relating a telephone conversation he had
3 with you on or about August 22nd. He asked you whether there would
4 be a change in policy in strong support of Ukraine, to which he relates,
5 you responded, It remains to be seen. That's to the best of your
6 recollection, accurate?

7 A Yes.

8 Q What else do you remember of that conversation and what you
9 related to Ambassador Taylor?

10 A So it was not uncommon during this period for Bill and I to
11 check in with each other, among the issues we wanted to ensure we were
12 sync'd on was the timeline for our process to have the aid released,
13 and whether or not there's any reason to believe the Ukrainians had
14 yet become aware of the hold.

15 Q Okay. And at that point in time, according to your
16 statement, you didn't -- you weren't aware that the Ukrainians knew
17 about the hold?

18 A To the best of my knowledge, and the best of my recollection
19 of my conversations with Ambassador Taylor and I, neither one of us
20 believed they were yet aware of hold.

21 Q Okay. And during this time period, did you have a hope that
22 the aid would be released?

23 A Yes.

24 Q And did you have an expectation that, in fact, it would be
25 released?

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1 A Expectation? The best I could say is I had a hope.

2 Q Okay. Just generally, what are the President's views on
3 foreign aid?

4 A He doesn't --

5 Q Does he have some skepticism about it?

6 A Yes.

7 Q Okay. I think I may have been talking over -- did you say
8 he doesn't like it?

9 A Generally, he does not.

10 Q And when foreign aid is going to a country like Ukraine that
11 has a regional significance, and there's other of our allies in the
12 region, does the President often want our allies to also step up their
13 aid contributions?

14 A Without going on it, I would argue Ukraine's significance
15 is beyond the region, but, yes, he would like to see a European country
16 more supported -- more supported by Europeans.

17 Q Okay. If the aid were to be permanently, you know, not
18 released, held, not released, there would have to be a process of
19 rescission or reprogramming. Is that correct?

20 A That's my understanding.

21 Q Do you know if any officials at OMB or DOD, State Department
22 took any affirmative steps to begin the rescission or reprogramming
23 process?

24 A At this time, there was a parallel foreign aid rescission
25 process. It was reported that we were considering \$4 billion in

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1 foreign aid rescissions.

2 Q Okay.

3 A To my knowledge, there was no process ever undertaken to seek
4 a reprogramming of the Defense Department or State Department funds.

5 Q Okay. Was the rescission effort ever related to the Ukraine
6 funds?

7 A Some of the funds that would have been included in the
8 rescission package, as it has been related to the press, would have
9 touched on funds that could have gone to Ukraine.

10 Q Could have gone?

11 A Yes.

12 Q Okay.

13 MR. GOLDMAN: Did you say \$4 million?

14 MR. MORRISON: \$4 billion.

15 BY MR. CASTOR:

16 Q Returning to page 9 of Ambassador Taylor's statement.
17 Ambassador Taylor relates that you told -- you told him that the
18 President doesn't want to provide any assistance at all?

19 A Yes.

20 Q And can you help me understand what that meant?

21 A The President's general antipathy to foreign aid, as well
22 as his concern that the Ukrainians were not paying their fair share,
23 as well as his concern when our aid would be misused because of the
24 view that Ukraine has a significant corruption problem.

25 Q Okay. In your mind, are the Javelins separate from the

1 security assistance funds?

2 A Yes.

3 Q Okay. And were the Javelins in play -- the funds for the
4 Javelins in play at this time?

5 A So the Javelins, to the best of my knowledge, have always
6 occurred through foreign military sales --

7 Q Okay.

8 A -- which is a separate process entirely.

9 Q Okay. Separate process from USAI?

10 A Yes.

11 Q And your understanding at the time of your call with
12 Ambassador Taylor, August 22nd, it was the USAI funds that were --

13 A No. There were two pots of money, which is why I don't
14 typically speak about security assistance. I speak about security
15 sector assistance, because security assessments -- assistance has a
16 lawful meaning. There were Defense Department funds and State
17 Department funds that were included within the \$445 million that had
18 been appropriated by the Congress.

19 Q Okay. Did you -- after the call, did you relate what
20 happened on the call to Colonel Vindman?

21 A I believe I've already answered this. I had a conversation
22 with Ambassador Taylor on or about July 28th and I provided --

23 Q I'm sorry. I'm talking about the August call.

24 A Oh.

25 Q My bad.

1 A I -- I don't recall specifically, but it was my practice to
2 provide my team with readouts --

3 Q Okay.

4 A -- of those kinds of things.

5 Q Okay. But Colonel Vindman, was he on the call with you?

6 A I don't believe so.

7 Q Was Colonel Vindman on any calls with you that you did with
8 Ambassador Taylor during this relevant time period?

9 A Yes. Well, so, please define the relevant time period.

10 Q From July 15th through September 25th.

11 A And about the topic of this inquiry?

12 Q Yes.

13 A No.

14 Q Okay. Did Colonel Vindman express concern to you or
15 complain that he wasn't allowed to be on the call, any of these calls?

16 A Yes.

17 Q Okay. And how often did he raise that concern to you?

18 A Once or twice.

19 Q Okay. And what was your reason for doing the call without
20 Colonel Vindman?

21 A The nature of the conversation.

22 Q Okay.

23 A The subject matter of the conversation.

24 Q Okay. It had nothing to do with your trust in Colonel
25 Vindman?

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1 A I had two motivations to do my best to protect my personnel
2 from my concerns about this issue, the concerns that I weighed out about
3 the Washington's political environment.

4 Q Uh-huh.

5 A And --

6 [Discussion off the record.]

7 MR. MORRISON: I had concerns about Lieutenant Colonel Vindman's
8 judgment.

9 BY MR. CASTOR:

10 Q Judgment with respect to what?

11 A Among the discussions I had with Dr. Hill in the transition
12 was our team, my team, its strengths and its weaknesses. And Fiona
13 and others had raised concerns about Alex's judgment.

14 Q Okay. Did you ever have any concerns that he might leak
15 something?

16 A No.

17 Q Did anyone ever bring concerns to you that they believed
18 Colonel Vindman may have leaked something?

19 A Yes.

20 Q Would you tell us about that?

21 MS. VAN GELDER: That is outside the scope.

22 MR. CASTOR: How many instances of that --

23 MS. VAN GELDER: Again, we can talk about this during the break,
24 but he's not going to answer it.

25 MR. CASTOR: Okay.

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1 BY MR. CASTOR:

2 Q Were there any other things that Colonel Vindman was excluded
3 from that he raised to your attention, that he felt excluded?

4 A Could you restate the question?

5 Q Were there any other things Colonel Vindman was excluded from
6 that he brought to your attention?

7 A I'm only going to speak within the scope of this inquiry,
8 and the answer is yes.

9 Q Okay. And what was that, in the scope of the inquiry?

10 A I took steps early on to attempt to protect my people from
11 being dragged into this process -- what I expected would become a
12 process. And when I saw that there was a process that was going to
13 happen, I took steps to ensure that neither myself nor they would
14 subsequently be accused of coordinating testimony.

15 Q Okay. And when did you implement that process?

16 A Sometime in August.

17 Q Did you relate that to Colonel Vindman?

18 A No.

19 Q And did he come ask you why he felt excluded from certain
20 things?

21 A Yes.

22 Q And what did you tell him in response to that?

23 A It was my judgment as to the needs of the mission.

24 Q Okay. And did he push back? Did he take his concerns to
25 any other authorities?

1 A He pushed back. I can't speak to the latter.

2 Q Okay. So you don't know if he went to Dr. Kupperman or
3 anybody else --

4 A I can't speak to --

5 Q Did Dr. Kupperman or anybody else, John Eisenberg ever come
6 to you and relate concerns that were related to them by Vindman on this
7 topic?

8 A Not that I can recall.

9 Q Okay.

10 Do you know whether Colonel Vindman ever had access to information
11 he wasn't supposed to see?

12 A Not firsthand.

1 [10:09 a.m.]

2 BY MR. CASTOR:

3 Q But you have secondhand information about that?

4 A It was brought to my attention that some had -- some of my
5 personnel had concerns that he did.

6 Q Okay. How was it brought to your attention?

7 A In person and by email.

8 Q Okay. And how many people are in your team?

9 MS. VAN GELDER: I don't know who --

10 BY MR. CASTOR:

11 Q I'm not going to ask. I just want to know how many people
12 are on the team.

13 A At the time, it was maybe [REDACTED].

14 Q Okay. Any concerns about his handling of classified
15 information raised to you?

16 A In what sense?

17 Q Did anyone bring concerns to you that they were -- they had
18 issues with the way he was handling classified information?

19 MS. VAN GELDER: With respect to the Ukrainian investigation?

20 MR. CASTOR: With respect to anything.

21 MS. VAN GELDER: He won't answer anything outside the scope.

22 MR. CASTOR: Okay. With respect to the Ukrainian -- with the
23 matters subject to this inquiry.

24 MR. MORRISON: Could you repeat the question?

25 MR. CASTOR: Did anyone bring concerns to you about how they

1 believed Colonel Vindman was handling classified information?

2 MS. VAN GELDER: With respect to the Ukrainian calls with the
3 President of the United States?

4 BY MR. CASTOR:

5 Q Yes.

6 A Not that I can recall.

7 Q Okay. The July 10th meeting that Mr. Goldman asked you
8 about in the first round --

9 A Yeah.

10 Q -- this was a meeting involving Ambassador Sondland, Volker,
11 Ambassador Bolton, and some Ukrainian officials, Danylyuk and --

12 A My only understanding is what I -- my only awareness of the
13 meeting is what was related to me in the -- by Ambassador Taylor's
14 statement.

15 Q Okay. So I think when Mr. Goldman was asking you about that,
16 the question was whether Dr. Hill related to you --

17 A I don't recall that she did.

18 Q And I guess, I just wanted to follow up and ask whether
19 anybody else that was in that meeting told you about it?

20 A I have no recollection of that.

21 Q Okay. So your only knowledge of the meeting comes via
22 open-source information, reports, press reports?

23 A From Ambassador Taylor's statement.

24 Q Okay. And press reports?

25 A I'm sure I read press reports about how Ambassador Taylor's

1 statement has been, you know, was reported on publicly.

2 Q Okay. At any point from July 15th through September 11th,
3 did anyone in the counsel's office, Mr. Eisenberg, Mr. Ellis, have
4 communications with you about this alternative channel that had
5 developed involving Ambassador Sondland?

6 A Yes.

7 Q And what were those concerns?

8 MS. VAN GELDER: He's talking to legal counsel. I can only
9 preserve the privilege, and so I would say that it's traditional
10 attorney-client privilege. He will not discuss that.

11 MR. CASTOR: Okay. You discuss a separate process that chiefly
12 involved Sondland relating to some of these bilateral efforts. What
13 else can you tell us that was your understanding of the separate
14 process? Was it principally Sondland led or Volker led or Giuliani
15 led?

16 MR. MORRISON: It was principally Sondland led, based on my
17 interactions with Ambassador Sondland and his retelling to me of these
18 issues.

19 I would routinely inform Ambassador Taylor about my conversations
20 with Ambassador Sondland when I felt that Ambassador Sondland was
21 relating to me a conversation he had with the Ukrainian official that
22 I had reason to believe Ambassador Taylor was not aware of.

23 On occasion, when talking to Ambassador Taylor, he would relate
24 to me that he was involved in text messages with Kurt, with Ambassador
25 Sondland. I believe Bill would tell me that sometimes Mr. Giuliani

1 was on these text messages. This correspondence was a matter of
2 concern to both of us.

3 MR. CASTOR: I want to make sure I pivot to Mr. Ratcliffe before
4 our time is up. We have about 12 minutes, I think, left in our round.

5 MR. RATCLIFFE: Thank you, Steve.

6 Mr. Morrison, my name is John Ratcliffe. I just have a couple
7 questions for you.

8 I want to start with what you addressed a little bit earlier
9 regarding chain of command and what I heard you say earlier.

10 You understand that Colonel Vindman went to the National Security
11 Council lead legal counsel to report his concerns about the July 25th
12 call, correct?

13 MR. MORRISON: I did not at the time. I do now.

14 MR. RATCLIFFE: I want to -- and is it your understanding that
15 he did so shortly after the July 25th call?

16 MR. MORRISON: Based on what has been reported publicly, of which
17 I don't have firsthand knowledge and can't vouch for its veracity, yes.

18 MR. RATCLIFFE: And when did you learn that he had done so?

19 MR. MORRISON: Within the past week or 2 when preparing for
20 today's proceeding.

21 MR. RATCLIFFE: Okay. So is your issue with that, as you talked
22 about chain of command, you said something to the effect of, quote,
23 unfortunate but not unusual. I want to make sure the record's clear.
24 Your issue is not that he didn't or shouldn't have the ability to report
25 the concern, it's that as his direct report, he didn't keep you informed

1 of his concern?

2 MR. MORRISON: Unfortunate but not unusual was within the context
3 of Fiona Hill's management style, was different than mine, that she
4 had allowed her team to take on unfortunate practices. And so it was
5 not unusual that her team would undertake steps of which she was not
6 fully witting.

7 MR. RATCLIFFE: But I guess what I'm saying is, you're not here
8 asserting that he didn't have the right to report a concern or a problem
9 that he had to the National Security Council's lead legal counsel,
10 correct?

11 MR. MORRISON: I'm saying that -- I'm not saying that.

12 MR. RATCLIFFE: Okay. Very clearly, you do have a difference of
13 opinion with Colonel Vindman with respect to what was heard on the July
14 25th call. Your statement, I think, speaks very clearly to this issue
15 on page four, where you say, regarding that July 25th call, "I want
16 to be clear: I was not concerned that anything illegal was discussed."
17 I read that correctly?

18 MR. MORRISON: You did.

19 MR. RATCLIFFE: Okay. And then in followup to that, in questions
20 from Mr. Castor, he asked you whether or not you thought anything
21 improper or illegal had happened, and your response was no.

22 MR. MORRISON: Correct.

23 MR. RATCLIFFE: Colonel Vindman, on the other hand, testified
24 that he was concerned and that he did not think it was proper to demand
25 that a foreign government investigate a U.S. citizen.

1 As you listened to the call, did you hear President Trump make
2 a demand of President Zelensky to investigate a foreign citizen?

3 MR. MORRISON: I did not.

4 MR. RATCLIFFE: A U.S. citizen.

5 MS. VAN GELDER: Thank you, counsel.

6 MR. RATCLIFFE: I want to make sure if I said that.

7 So that the record is clear, you did not hear President Trump make
8 a demand on a foreign government to investigate a U.S. citizen?

9 MR. MORRISON: To be clear, I did not fully understand this
10 subject matter at the time, the CrowdStrike issue, these issues. I
11 only had a confirmatory recognition that this was what Dr. Hill had
12 briefed me on in our handover.

13 MR. RATCLIFFE: Understood.

14 But in talking about concerns that Colonel Vindman had that
15 something improper or illegal was done, as I heard your testimony
16 earlier, you said that you did have a discussion with him where he
17 expressed his concerns. You identified two, the subject matter of the
18 call regarding Ukrainian reform generally and the President's approach
19 to that, and two, the fidelity of the translation.

20 MR. MORRISON: Yes.

21 MR. RATCLIFFE: You did not say that he expressed to you concern
22 that something illegal or improper had occurred that should be reported
23 to the National Security Council's lead legal counsel.

24 MR. MORRISON: I have no recollection of him doing so.

25 MR. RATCLIFFE: Is that something, as his direct report, you

1 would have expected him to do if he had that concern?

2 MR. MORRISON: Yes.

3 MR. RATCLIFFE: And you would have a recollection if he did so?

4 MR. MORRISON: Yes.

5 MR. RATCLIFFE: On page five of your statement today, you say,
6 "I have no reason to believe the Ukrainians had any knowledge of the
7 review until August 28th, 2019."

8 Did I read that correctly?

9 MR. MORRISON: You did.

10 MR. RATCLIFFE: And by review, what do you mean?

11 MR. MORRISON: I mean the process I was directed by Dr. Kupperman
12 to initiate.

13 MR. RATCLIFFE: That related to what?

14 MR. MORRISON: Related to the security-sector assistance to
15 Ukraine.

16 MR. RATCLIFFE: Okay. The security assistance or military aid?

17 MR. MORRISON: I'd prefer the term "security-sector assistance."
18 I apologize. I'm a bit anal.

19 MR. RATCLIFFE: No apologies necessary. I just want to make sure
20 we're talking about the same thing.

21 So in short, your testimony today is consistent with what
22 Ambassador Taylor testified to me under oath, which was that the
23 Ukrainians had no knowledge that any security assistance might be
24 withheld until around August 28th, 2019.

25 That's inconsistent with what Colonel Vindman told us yesterday

1 in his testimony. He testified that in mid-August --

2 THE CHAIRMAN: Counsel, is there a question for the witness?

3 MR. RATCLIFFE: There is.

4 THE CHAIRMAN: Because you're reading testimony of other
5 witnesses --

6 MR. RATCLIFFE: I'll get to my question.

7 THE CHAIRMAN: -- and making representations about whether
8 they're conflicting or not conflicting.

9 MR. RATCLIFFE: I'll get to my question, Chairman.

10 THE CHAIRMAN: Thank you, counsel.

11 MR. RATCLIFFE: You bet.

12 If Colonel Vindman received light queries from Ukrainians
13 concerned about the withholding of security assistance or military aid
14 in mid-August, is that something that he should have reported to you?

15 MR. MORRISON: Yes.

16 MR. RATCLIFFE: Is that something that he reported to you?

17 MR. MORRISON: I have no recollection of that.

18 MR. RATCLIFFE: And if he did not, would you consider that to be
19 an issue where he was not acting within the chain of command?

20 MS. VAN GELDER: Do you want to complete the sentence?

21 MR. RATCLIFFE: That was it.

22 MR. MORRISON: I'm sorry, Congressman. Could you please repeat
23 the question?

24 MS. VAN GELDER: I wish he was, but he's not. You are.

25 MR. RATCLIFFE: I'm what?

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1 MS. VAN GELDER: You are. Go ahead. I thought you were the
2 attorney.

3 MR. MORRISON: No, he's a Congressman.

4 MR. CASTOR: No, he's Congressman John Ratcliffe.

5 MS. VAN GELDER: I'm so sorry. Blame the attorney, not the
6 witness.

7 MR. GOLDMAN: Take it as a compliment.

8 MR. RATCLIFFE: They're so rare, it's just I can't recognize them
9 anymore, to be honest with you.

10 THE CHAIRMAN: I made the same mistake in referring to him as
11 counsel. He is my colleague.

12 MR. RATCLIFFE: My question was, should -- if there were light
13 queries from the Ukrainian Government or Ukrainian officials to Colonel
14 Vindman about the withholding of security assistance or military aid
15 in mid-August, is that something he should have reported to you?

16 MR. MORRISON: Yes.

17 MR. RATCLIFFE: He did not?

18 MR. MORRISON: I have no recollection of him doing so.

19 MR. RATCLIFFE: And if he did not, would you consider that to be
20 a violation of the chain of command?

21 MR. MORRISON: I would consider it to be an unfortunate habit he
22 picked up from his prior boss.

23 MR. RATCLIFFE: How much time do we have?

24 MR. CASTOR: Three minutes. Two minutes, sorry.

25 MS. VAN GELDER: Could we have a break after?

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1 THE CHAIRMAN: Yes.

2 MR. NUNES: Mr. Morrison, I think Mr. Ratcliffe has a followup
3 on this also, but in respect to the servers, you said that Fiona Hill,
4 between July 1st and July 15th, brought up servers to you. I think
5 you -- what were you referring to?

6 MR. MORRISON: Congressman, to be honest, I did not know at the
7 time. I recall googling Burisma. I did not recall googling or
8 otherwise looking into any of the rest of this.

9 MR. NUNES: But you said that she had mentioned servers to you.

10 MR. MORRISON: I had a recollection, yes, Congressman.

11 MR. NUNES: But you don't -- she didn't expand on what those
12 servers were, what that might be?

13 MR. MORRISON: No, sir. We had a limited amount of time on the
14 handover, and they were sort of, be aware of this bucket.

15 MR. NUNES: I'm just trying to figure out why she would mention
16 to you something about servers and how she would know about servers.
17 I mean, I know you don't know, but she didn't -- can you recollect
18 anything else from that time period from those conversations?

19 MR. MORRISON: Congressman, it was very much a there is this
20 process, the process, this is the subject matter, stay away.

21 MR. NUNES: Did she mention CrowdStrike?

22 MR. MORRISON: I don't recall that, sir.

23 MR. NUNES: Steve.

24 BY MR. CASTOR:

25 Q And just to be clear before we lose our -- our time is up,

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1 the circumstances of you leaving the National Security Council, you're
2 not resigning in protest?

3 A No.

4 Q Nobody's asking you to leave?

5 A No.

6 Q You're leaving on your own terms?

7 A Yes.

8 Q It's just a simple coincidence that your departure here is
9 related to your congressional testimony temporally?

10 A Yes.

11 MR. CASTOR: Okay.

12 THE CHAIRMAN: Okay. We'll take a break. We have some votes
13 coming up, so I would like to keep the break short, if I can, and we'll
14 hopefully get you out earlier. Would 5 or 10 minutes be sufficient?

15 MR. MORRISON: I can be faster, sir.

16 THE CHAIRMAN: Okay. Let's make it a 5-minute break then.

17 We'll resume at 10:35, and we'll resume promptly.

18 [Recess.]

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1 [10:40 a.m.]

2 THE CHAIRMAN: Going back on the record.

3 Mr. Morrison, I just want to go over a few of the areas that we've
4 covered, and then I'll hand it back to Mr. Goldman to go further through
5 the chronology.

6 I think you testified earlier that one of the concerns that
7 Dr. Hill raised with you before you took your position was this
8 irregular channel, and that irregular channel involved issues relating
9 to Burisma or 2016. Is that right?

10 MR. MORRISON: It was, Chairman, generally, yes, it was chiefly
11 a concern about Ambassador Sondland, who, it was our view, did not
12 really belong in Ukraine policy. And, yes, she raised these issues
13 that she said were being worked on in this alternate channel that were
14 a concern to her.

15 THE CHAIRMAN: And why were they a concern to her?

16 MR. MORRISON: As I recall her relating to me, her concerns were
17 just about the -- about the issues themselves. I don't recall a
18 specific this is how they could be used or anything like that. I just
19 recall these are these issues that I knew nothing about. So maybe she
20 tried to convey something that I didn't absorb. And that was what I
21 recall of one or two handoff conversations before I formally took over.

22 THE CHAIRMAN: Was she concerned that Ambassador Sondland's
23 raising of this bucket of issues around 2016 or Burisma might be at
24 odds with U.S. policy vis-à-vis Ukraine or cause problems in terms of
25 the advancement of the official U.S. policy?

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1 MR. MORRISON: No, sir. I don't recall that.

2 THE CHAIRMAN: What do you recall about why she was concerned
3 about it?

4 MR. MORRISON: Again, Chairman, it was that this was -- the chief
5 concerns were sort of who was involved and that this was occurring
6 outside of the regular process. But, again, I was -- this was probably
7 the first time I can consciously recall hearing about these issues,
8 and I really just didn't even know what they were.

9 THE CHAIRMAN: And remind me, if you would, I think you testified
10 earlier along the lines of wanting to avoid the whole Burisma bucket
11 of issues?

12 MR. MORRISON: I was admonished -- "admonished" may be the wrong
13 way to describe it. I was advised by Dr. Hill to stay away.

14 THE CHAIRMAN: And did that seem like sensible advice to you?

15 MR. MORRISON: Based on having no knowledge of what they were
16 until I recall walking out into the hall and googling Burisma, I took
17 it onboard. And the way I recall processing it was when I went out
18 and I googled "What is Burisma?" and I saw Hunter Biden, I said, okay,
19 yeah, that sounds right, I'll stay away.

20 THE CHAIRMAN: And you could understand, because it involved
21 Hunter Biden and Joe Biden was running for President, that this could
22 be a problematic area?

23 MR. MORRISON: Generally, yes.

24 THE CHAIRMAN: And so when this came up in the conversation as
25 you were listening to President Trump and President Zelensky, and the

1 President brought up 2016 and the Bidens, you recognized that this was
2 what Dr. Hill had warned about?

3 MR. MORRISON: Yes.

4 THE CHAIRMAN: And this was a realization of the concerns that
5 she expressed and that you would later form when you looked up what
6 Burisma was and the association with the Bidens?

7 MR. MORRISON: Well, sir, I had looked up what Burisma was prior
8 to the July 25 call.

9 THE CHAIRMAN: Correct.

10 MR. MORRISON: It was more -- in hearing the call, it was largely
11 confirmatory that there really -- okay, there's something
12 going -- there is something here. I was aware that Ambassador Sondland
13 had briefed the President that morning by this point, per his email,
14 which I referenced earlier. So it was more a reflection that, okay,
15 Fiona was right, there is this parallel process.

16 THE CHAIRMAN: And I think you said that when you did look into
17 Burisma and learned of the Biden connection, you shared at least part
18 of the concerns Dr. Hill expressed?

19 MR. MORRISON: I certainly took onboard, yeah, I want to stay away
20 from this.

21 THE CHAIRMAN: And so did it concern you when the President raised
22 this and that the President wasn't staying away from this?

23 MR. MORRISON: Sir, it was more that it was not what I thought
24 the focus of the call should be.

25 THE CHAIRMAN: So you were not concerned that President Trump

1 asked President Zelensky to look into a Democratic candidate for
2 President, only that it might leak?

3 MR. MORRISON: Sir, I'm not sure I recall the conversation the
4 same way. I recall that he asked him to look into the Vice President's
5 son, not the Vice President. I'm not trying to be cute. I'm just
6 trying to recall the conversation.

7 THE CHAIRMAN: Let me, if I could, read that language to you. On
8 page four, "The other thing, there's a lot of talk about Biden's son,
9 that Biden stopped the prosecution. And a lot of people want to find
10 out about that, so whatever you can do with the attorney general would
11 be great. Biden went around bragging that he stopped the prosecution,
12 so if you could look into it. It sounds horrible to me."

13 You understood that after referring to Biden's son he then goes
14 on to refer to Joe Biden. That's the Biden he's referring to about
15 stopping the prosecution, that Biden went bragging about he stopped
16 the prosecution. You understood that he was talking about Joe Biden,
17 candidate for President Joe Biden, right?

18 MR. MORRISON: Sir, you are correct. I did not know what the
19 prosecution he was referring to, what that prosecution was.

20 THE CHAIRMAN: So do I understand your testimony correctly that
21 you were not concerned that President Trump was asking President
22 Zelensky to look into a Democratic candidate for President, only that
23 it may leak?

24 MR. MORRISON: Sir, I was concerned -- I was concerned that the
25 MEMCON and the subject of the call -- the content of the call could

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1 leak. I was concerned that it did not focus as much on what I hoped
2 it would focus on, which was President Zelensky's reform agenda.

3 THE CHAIRMAN: And when the President raised
4 immediately -- well, when President Trump raised immediately after
5 President Zelensky expressed interest in buying more Javelins, and the
6 President of the United States asked for a favor and that favor involved
7 looking into the issues that Fiona Hill had warned about, that didn't
8 concern you?

9 MR. MORRISON: No.

10 THE CHAIRMAN: Only that that might leak?

11 MR. MORRISON: Yes.

12 THE CHAIRMAN: Did it concern you that Rudy Giuliani was
13 mentioned in the call with President Zelensky?

14 MR. MORRISON: No.

15 THE CHAIRMAN: Only that that might leak?

16 MR. MORRISON: I don't know if I was concerned that Mr. Giuliani
17 being mentioned in the call would leak. I don't know that I was
18 concerned about that.

19 THE CHAIRMAN: Now, you mentioned in your written testimony that
20 you didn't think it was -- that what you listened to was a violation
21 of law. Are you an attorney, Mr. Morrison?

22 MR. MORRISON: I am not admitted to a bar. I do not practice.

23 THE CHAIRMAN: And when you went to visit with an attorney right
24 after this call, that is the top attorney at the National Security
25 Council, did you ask him whether this might be a violation of the law?

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1 MS. VAN GELDER: Did you ask him?

2 MR. MORRISON: No.

3 THE CHAIRMAN: And I think you've said that you were not aware
4 of the preparation that Ambassador Sondland or others may have provided
5 to the President in this other channel in preparation for the call.
6 Is that right?

7 MR. MORRISON: I was aware that there was a call between
8 Ambassador Sondland and the President that morning. I confirmed that
9 call did happen. And that was the extent of my knowledge.

10 THE CHAIRMAN: So in terms of evaluating the legality of what
11 happened on the call, you didn't have the advantage of knowing what
12 took place before the call, how the President might have been prepared
13 for that call?

14 MR. MORRISON: Sir, I did not then and I do not now opine on
15 to -- as to the legality.

16 THE CHAIRMAN: Mr. Goldman.

17 BY MR. GOLDMAN:

18 Q Just one more thing on this. You said that you wanted to
19 stay away from the Burisma bucket of investigations. That was your
20 testimony, right?

21 A That's what I was advised to do, and that's what I did.

22 Q Why did you want to do that?

23 A It did not -- it was nothing a part of any -- the proper
24 policy process that I was involved in on Ukraine, it had nothing to
25 do with the issues that the interagency was working on.

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1 Q So it wasn't a part of U.S. policy?

2 A It was not a part of the formal interagency policy process.

3 Q Okay. Mr. Morrison, before you came to testify here today,
4 did you speak to any staff members from the Republican staff here?

5 A No.

6 Q Did you speak to any Members of Congress about your testimony
7 here today?

8 A No.

9 Q Did you share your opening statement with anyone?

10 A No. Other than counsel, no.

11 Q Understood.

12 MS. VAN GELDER: And for the record, counsel has not shared it
13 with anyone.

14 BY MR. GOLDMAN:

15 Q Thank you.

16 In your July 28th call with Ambassador Taylor, the minority --

17 A I'm sorry, sir, which date?

18 Q July 28th.

19 A July 28th, okay.

20 Q Yes. The minority -- this is on page nine of Ambassador
21 Taylor's statement -- the minority referenced that you said that the
22 call could have been better. But they didn't read the rest of the
23 sentence, which says: And that President Trump had suggested that
24 President Zelensky or his staff meet with Mr. Giuliani and Attorney
25 General William Barr.

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1 Did you have any concerns that the President of the United States
2 was asking a foreign leader to meet with his personal attorney who is
3 not a government employee?

4 A So you lost me a little bit on the question. Could you repeat
5 the question?

6 Q You confirmed that you did -- that Ambassador Taylor's
7 description of your conversation on July 28th was correct. Is that
8 right?

9 A It is.

10 Q Okay. Ambassador Taylor says that President Trump had
11 suggested that President Zelensky or his staff meet with Mr. Giuliani
12 and Attorney General William Barr.

13 Did you have any concerns that the President of the United States
14 asked another foreign leader to meet with his personal attorney who
15 was not a U.S. Government official?

16 A No.

17 Q You didn't?

18 A No.

19 Q And you didn't have any concerns even though you knew that
20 Giuliani was publicly advocating for this bucket of investigations
21 related to Burisma that were not a part of the well-settled official
22 U.S. policy?

23 A I'm not sure I knew that he was publicly advocating. I did
24 know that Fiona, Dr. Hill, had advised me of this parallel process in
25 which Mr. Giuliani was a part.

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1 Q So is it your testimony today that as of July 28th you did
2 not know that Rudy Giuliani was publicly advocating for these
3 investigations?

4 A I have no recollection of that.

5 Q And you were in charge of covering Ukraine as the senior
6 director in the National Security Council?

7 A For 13 days.

8 Q Right.

9 A Yes.

10 Q And you knew that you were going to be for 2 months prior
11 to that?

12 A No. I had begun negotiations with Ambassador Bolton and
13 Dr. Kupperman on taking over. I had planned at the time to leave the
14 NSC when I finished a year at my then current position. And it was
15 not clear to me that we were going to come to an agreement on my assuming
16 Dr. Hill's responsibilities.

17 Q Okay. Well, at least as of July 1st, you started
18 transitioning in meetings with Dr. Hill, correct?

19 A Correct.

20 Q And at that point you started getting up to speed on the
21 countries within your new portfolio?

22 A Correct.

23 Q Right. And Dr. Hill warned you about this alternative
24 channel that involved Rudy Giuliani, correct?

25 A Correct.

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1 Q And so you took no efforts from July 1st until July 25th to
2 understand what this alternative channel related to Rudy Giuliani was?

3 A I took limited efforts, but I also had a variety of other
4 things going on in my portfolio.

5 Q Okay. But it is your testimony today that as of July 25th
6 you did not know that Rudy Giuliani was publicly advocating for
7 investigations related to Burisma, Joe and Hunter Biden, and the 2016
8 election?

9 A Correct.

10 Q After this call -- well, let me go back. So I just want to
11 make sure. You had two conversations, I think you said, on July 25th
12 with John Eisenberg and Michael Ellis related to the call --

13 A Yes.

14 Q -- at that time? Did you have any further conversations with
15 them in the few days after that related directly to the phone call?

16 A Not that I can recall.

17 Q Okay. Did there come a time when you became aware of a
18 meeting that Mr. Giuliani had with Andrey Yermak in Madrid, Spain?

19 A Yes.

20 Q What do you -- when did you -- did you learn about that in
21 realtime?

22 A No.

23 Q When did you learn about that?

24 A Within the past week or so in reading press coverage of these
25 proceedings.

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1 Q So you only -- so I just -- let's just for the next half an
2 hour try to separate out what you've learned from the press reports
3 and what you knew prior to press reports, okay.

4 So you only learned about this -- well, I should say, you learned
5 it from press reports at the time, or you learned it from press reports
6 recently?

7 A Recently.

8 Q Okay. Were you aware that it was in the press at the time?

9 A No.

10 Q Okay. What were your -- did you understand your do-outs to
11 be from the July 25th call?

12 A I think the only do-out I can recall is I decided to work
13 with Ambassador Taylor to attempt to determine dates that would be
14 mutually agreeable to President Trump and President Zelensky for a
15 White House visit.

16 Q And did you have any discussions within the White House about
17 this potential White House visit?

18 A Yes.

19 Q Who did you speak to?

20 A Ambassador Bolton, Dr. Kupperman, [REDACTED].

21 Q Who is that? Sorry.

22 A She is the senior director for visits. She handles -- we
23 have a team on the NSC that handles foreign -- foreigners who visit
24 the White House, whether to meet with Ambassador Bolton or to meet with
25 the President or the Vice President. And so she was a conduit for the

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1 schedule proposals and the interface with the President's schedulers.

2 Q And what did you understand to be the direction about whether
3 or not you should begin to set up a White House visit?

4 A We were seeking a White House visit.

5 Q And that came from Ambassador Bolton?

6 A That came from the President.

7 Q Who did he -- who did you understand him to have told that
8 to?

9 A President Zelensky.

10 Q And so -- and you had conversations with Ambassador Bolton
11 and Dr. Kupperman about that as a do-out from the conversation?

12 A I think I -- what I recall telling them is, I'm going to put
13 together -- we have a schedule proposal. Let's move the schedule
14 proposal. I think the schedule proposal preceded the July 25th phone
15 call. Let's move the schedule proposal. I will work with Ambassador
16 Taylor to determine dates that are agreeable to the Ukrainians.

17 Q Okay.

18 [Majority Exhibit No. 2

19 Was marked for identification.]

20 BY MR. GOLDMAN:

21 Q I'm going to show you a document that is a bunch of text
22 messages that we'll mark as exhibit 1 -- sorry, exhibit 2. And if you
23 could go to page 38 --

24 A I don't think these are numbered.

25 Q Well, Bates No. 38, KV38.

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1 A Excuse me, okay.

2 Q And if you go to August 3rd at 11:19 a.m. It's about
3 two-thirds of the way down.

4 A Uh-huh.

5 Q Now, this is a group text chain with Bill Taylor, Kurt Volker,
6 and Gordon Sondland. You are not on it. But Sondland writes to the
7 other two: I have a sec call with Tim, Monday, "Mon," Monday, sounds
8 like bad news. Kurt, call if you have a sec. Thanks.

9 Do you recall having a conversation with Ambassador Sondland
10 around this time about a White House meeting?

11 A I'm aware that I had a call with him. I'm aware that I had
12 a call with him. My record indicates it was an open line,
13 but -- nonsecure line, on Monday, August 5. I don't recall the subject
14 matter, but it was an open line.

15 Q Did there come a time after the July 25th call when you
16 learned that the prospect of a White House meeting was not good?

17 A No.

18 Q No? You thought that it was on track from July 25th to the
19 present day?

20 A There came a time when it became clear that the earliest
21 opportunity for the two Presidents to meet would be in Warsaw. I
22 believe that was President Zelensky's suggestion, and that's what we
23 scheduled for. But we were in parallel looking for opportunities to
24 land a White House meeting.

25 Q Okay. So you have no idea what Ambassador Sondland means

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1 here when he says, "Sounds like bad news"?

2 A No, but he also indicates it was a secure call and it was
3 not.

4 Q So, therefore, you question whether there was bad news
5 because he -- because it may have changed in 2 days from a secure call
6 to an open call?

7 A I simply can't know what was in Ambassador Sondland's mind.

8 Q If we could go down to 8/6 at 7:57 a.m., Bill Taylor writes:
9 Ukraine responded saying that they want to plan one trip, so the week
10 before UNGA or the week after works. The week of September 9th
11 doesn't. But my conversation with Tim on Sunday did not fill me with
12 hope that they will agree on a date anytime soon unless, comma, Tim
13 said, quote, "Gordon turns it around," unquote.

14 Do you recall that conversation with Ambassador Taylor on
15 August 6th -- or August 5th maybe? Sunday, so I don't know.
16 August 4th, it would have been, according to Ambassador Taylor.

17 A No. In my review of occasions where I scheduled a call with
18 Ambassador Taylor, it's possible something -- you know, it didn't wind
19 up getting scheduled, it's just that he called unscheduled. I don't
20 have that call.

21 Q Well, do you remember having a conversation with Ambassador
22 Taylor along the lines of where the conversation included what he
23 described here?

24 A No.

25 Q Do you recall ever giving him any reason that did not fill

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1 him with hope that the White House would agree on a date anytime soon?

2 A It's not -- I don't have a clear recollection, but I'm not
3 surprised.

4 Q Why are you not surprised?

5 A Because my directorate had a dozen schedule requests in with
6 the President for meetings with foreign leaders that we were looking
7 to land, and Ukraine was but one.

8 Q Do you recall telling Ambassador Taylor that it was not going
9 to happen soon unless, quote, "Gordon turns it around," unquote?

10 A No.

11 Q The next line, Bill Taylor says: "Gordon, you talked to Tim
12 yesterday, right? Is that your sense, question mark. Parentheses,
13 Tim actually said, quote, "unless Gordon turns it around like he did
14 with the phone call," unquote.

15 Do you recall saying that?

16 A No.

17 Q Do you dispute that you did say that, if Ambassador Taylor
18 wrote that contemporaneously in this text message with quotation marks
19 around it?

20 A I have no recollection of that, and I wasn't on the text
21 messages. I can't speak to it.

22 Q I understand. But do you have any recollection of
23 saying -- of thinking that Ambassador Sondland had played any role in
24 helping to facilitate the phone call between President Trump and
25 President Zelensky?

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1 A Yes.

2 Q And how did he do that, to your knowledge?

3 A He told me he did it.

4 Q This was before the July 25th call that he also told you
5 about, right?

6 A Yes.

7 Q Okay. And did he tell you how he did it?

8 A No. Well, so he bragged that he could call the President
9 whenever he wanted.

10 Q So you understood that he facilitated it by calling the
11 President?

12 A I understood that he believed he did.

13 Q Okay. But you didn't confirm with the President -- with
14 the -- you didn't confirm that they did have a conversation?

15 A I wasn't always able to confirm these things. Sometimes I
16 didn't have time. Sometimes I just couldn't find somebody who could
17 confirm it.

18 Q Approximately how many times over the course of the July 15th
19 to September 11th time period do you recall hearing Ambassador
20 Sondland -- or learning one way or another that Ambassador Sondland
21 and President Trump spoke?

22 A I can't quantify it exactly, but I would say several times.

23 Q Would you say more than five?

24 A Approximately five.

25 Q Approximately five?

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1 A Yeah. It's not -- it wouldn't be double digits, but half
2 a dozen, several, something in that ballpark. Not a couple, not a few.
3 Several.

4 Q Okay. So did you ever learn in the -- well, let's go, sorry,
5 to page 42, KV42, at 5:35, which is about two-thirds of the way down.
6 The text reads from Gordon Sondland to Kurt Volker, Bill Taylor is not
7 on this chain: Morrison ready to get dates as soon as Yermak confirms.

8 Do you have any idea what Ambassador Sondland is referencing
9 there?

10 A No.

11 Q Were you aware that Ambassador Sondland was having any
12 communications with Andrey Yermak around this time?

13 A I'm hesitating to answer because I knew Gordon was having
14 conversations with Ukrainian officials. I don't know if I knew before
15 or after August 9th, and I don't know that I knew specifically he was
16 talking to Mr. Yermak.

17 Q Were you talking to any Ukrainian officials around this time?

18 A Yes.

19 Q Who were you in contact with?

20 A The then Ukrainian National Security Advisor.

21 Q Danylyuk?

22 A Yes.

23 Q And approximately how frequently did you speak with him, from
24 July 15th to September 11th, and not when you met in Warsaw?

25 A Three or four times.

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1 Q Did you ever discuss the White House meeting with him?

2 A Not that I can recall.

3 Q So what did you know about Ambassador Sondland's
4 conversations with Ukrainians related to a White House meeting?

5 A I don't know that I knew he was having conversations with
6 Ukrainians about a White House meeting. I knew he was having
7 conversations with Ukrainians.

8 Q Did you understand what he was speaking to them about?

9 A I understood that he was speaking to them about what I've
10 taken to discuss as the Burisma bucket.

11 Q Okay. Did there come a time when you became aware of a
12 possible statement that was to be released by the Ukraine Government
13 in this early to mid-August timeframe?

14 A Not early to mid-August, no.

15 Q When?

16 A I recall Gordon mentioning it when he related to me his
17 conversation with Yermak on 1 September in Warsaw.

18 Q Okay. We'll get to that in a minute. But around this mid-,
19 early to mid-August timeframe, you had no knowledge that there was a
20 discussion of Ukraine issuing a statement?

21 A No.

22 Q Related obviously to the U.S.?

23 A No.

24 Q And what did you understand Rudy Giuliani's involvement to
25 be in Ukraine matters in the first 2 weeks of August?

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1 A I'm not sure in the first 2 weeks of August I knew any
2 specifics about his involvement. I had the superficial awareness
3 given to me by Dr. Hill, and, of course, the President suggested that
4 Mr. Giuliani should go to Ukraine. I think those were chiefly the two
5 data points I had.

6 Q When did you learn that the President suggested Rudy Giuliani
7 should go to Ukraine?

8 A He said it in the call.

9 Q He said that he should go to Ukraine or that they should --

10 A I think -- well, so, forgive me, you're right. That they
11 should meet with him, I believe.

12 Q Okay. And did you ever follow up as a do-out to determine
13 whether the Ukrainian -- any Ukrainian officials did meet with Rudy
14 Giuliani pursuant to the President's request on the July 25th call?

15 A And to be clear, in reading the call again, the President
16 asked that he call -- that Mr. Giuliani and President Zelensky call.
17 President Zelensky had mentioned that they're hoping that Mr. Giuliani
18 would travel to Ukraine.

19 Q Right. Mr. Giuliani is mentioned several times --

20 A Yes.

21 Q -- so it's hard to keep track.

22 But just to get back to my question, did you view it as a do-out
23 to try to help facilitate contact between Mr. Giuliani and Ukraine
24 officials pursuant to the President's request in this call?

25 A No.

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1 Q Why not?

2 A Because I did not.

3 Q Well, but ordinarily, right, you thought that the
4 White House visit was a do-out from this call because that was mentioned
5 in the call, right?

6 A Correct.

7 Q Getting in touch with Rudy Giuliani was also requested
8 several times by President Trump. Why didn't you view that to be a
9 do-out from the call?

10 A It is not within the scope of my responsibilities. Within
11 the scope of my responsibilities is to help arrange head of state visits
12 to the White House or other head of state meetings. I did not consider
13 it to be a direction to me.

14 Q Why was it not within the scope of your responsibilities if
15 it relates to Ukraine --

16 A Because I --

17 Q -- policy matters?

18 A -- I would help set up meetings with Ambassador Bolton and
19 foreign delegations and the President or Vice President and foreign
20 delegations, not others.

21 Q But you were also in charge of coordinating and orchestrating
22 the U.S. policy toward Ukraine, too. It wasn't just head of state
23 visits, right?

24 A Correct.

25 Q And if the President wanted the Ukrainians to meet with Rudy

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1 Giuliani, isn't that -- wouldn't that be part of your portfolio
2 overseeing Ukraine?

3 A I did not consider it to be.

4 Q Because why?

5 A It was not within my -- the process I was involved in.

6 Q It was not in the official U.S. policy toward Ukraine to
7 have -- to involve Rudy Giuliani?

8 A Not one that I was involved in.

9 Q So is it your view that the President sets the policy?

10 A Yes.

11 Q And so did you not take away from this call that the
12 President's policy decisions on Ukraine included Rudy Giuliani?

13 A I was aware of what the President raised with respect to
14 Mr. Giuliani, yes.

15 Q That wasn't answering my question. Did you not think that
16 that was part of U.S. policy if the President direct asked Ukraine to
17 meet with Rudy Giuliani?

18 A No.

19 Q Why not? I don't --

20 A I'm trying to tell you what I thought at the time. I did
21 not think at the time this was my responsibility to help implement.

22 Q Whose responsibility was it?

23 A I did not have an opinion then, and I do not have an opinion
24 now.

25 Q And was this something that you were just trying to stay away

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1 from?

2 A It just -- I did not see it within the scope of my
3 responsibility.

4 Q But is this something along the Burisma line that you were
5 trying to stay away from, as you testified earlier?

6 A It was that process I was not -- I was not
7 getting -- Mr. Giuliani was a part of that process in which I was not
8 involving myself.

9 Q Okay. So you were not aware in the -- when did you become
10 aware that Mr. Giuliani was meeting with Ukrainian officials?

11 A It may have come up in -- I had several calls with Ambassador
12 Taylor. So I think it would have come up in one of the calls -- it
13 would have had to at this point -- one of the calls I had with him in
14 August.

15 Q Did you have any calls with Ambassador Taylor in the first
16 2 weeks of August?

17 A I believe so. I had -- I had at least one that I -- that
18 I have a record of, yes.

19 Q What date?

20 A 16 August.

21 Q And just for the record to be clear, what are you looking
22 at to refresh your recollection?

23 A I printed out calendar entries.

24 Q And so you don't have anything else between July 28th and
25 August 16th --

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1 A Not --

2 Q -- with Ambassador Taylor?

3 A Not -- well, July 28th, yes. I also spoke with him on -- I
4 spoke with him on Sunday July 28th, and I spoke with him beyond then.

5 Q When you mentioned Rudy Giuliani to Ambassador Taylor on July
6 28th, did he say anything about Mr. Giuliani in response to you raising
7 that? I'm just asking for your recollection.

8 A Yeah. Not that I can recall.

9 Q Did you know what Ambassador Taylor's views were about
10 Mr. Giuliani's involvement in Ukraine matters?

11 A As of July 28th?

12 Q As of July 28th, yeah.

13 A No, I don't believe I did.

14 Q When did you learn those?

15 A Again, I referenced conversations Bill and I had involving
16 Ukraine where he mentioned text messages and phone calls he had with
17 Mr. Giuliani where he shared his views, and I -- he and I discussed
18 them.

19 Q What were his views?

20 A Well, he was concerned that -- principally that he did not
21 always know what Rudy was doing. He and I discussed a lack of, shall
22 we say, OPSEC, that much of Rudy's discussions were happening over an
23 unclassified cell phone or, perhaps as bad, WhatsApp messages, and
24 therefore you can only imagine who else knew about them.

25 Q Was he concerned at all about the substance of what

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1 Mr. Giuliani was pressing?

2 A I'm trying to recall --

3 Q Well, let me ask you this. Did he relay to you that
4 Mr. Giuliani was pressing for these investigations?

5 A Not around this time. I think we had discussions about what
6 they were doing later, but not around August 16th, I don't believe.

7 Q Well, what did he describe to you was going on with the text
8 messages with Sondland, Volker, and Giuliani?

9 A I remember being focused on the fact that there were text
10 messages, the fact that Rudy was having all of these phone calls over
11 unclassified media. And I found that to be highly problematic and
12 indicative of someone who didn't really understand how national
13 security processes are run.

14 Q By August 15th, did you know that Rudy Giuliani was pressing
15 the Ukrainians to initiate investigations into Biden, Burisma, and 2016
16 election?

17 A I think I did, yes. I think I deduced that from the July
18 25th call.

19 Q So after the July 25th call, did you take any steps to figure
20 out what Rudy Giuliani believed or was advocating related to Ukraine?

21 A I decided to stay out of that line of process.

22 Q So the only knowledge you had was from the July 25th call?

23 A As of when?

24 Q August 15th.

25 A Yes, that's my recollection.

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1 Q And you didn't discuss it with Ambassador Taylor before that,
2 to your recollection?

3 A Not to the best of my recollection.

4 Q Okay. So you were not aware that -- well, were you aware
5 that there was a discussion either among -- between Ambassador
6 Sondland -- there were discussions among Ambassador Sondland,
7 Ambassador Volker, and Rudy Giuliani related to conditioning the
8 White House meeting on the initiation of this investigation by
9 August 15th?

10 A No.

11 Q You mentioned at the end of our last round that Mr. Eisenberg
12 told you in a meeting that it was a mistake to place the transcript -- or
13 the MEMCON in the highly classified system. And you said that that
14 was around the time that you were preparing for President Trump's visit
15 to Warsaw to meet with President Zelensky. Do you have a more specific
16 recollection as to when that conversation was?

17 A So I was with Ambassador Bolton on travel prior to Warsaw,
18 so if Warsaw was around 1 September, it would have been maybe the third
19 week of August.

20 Q So how far in advance would you ordinarily prepare for a
21 meeting like this?

22 A In this -- so normal -- in this case, because I was planning
23 to be on travel for about a week before Warsaw, I wanted to put in place
24 certain things before I left the country.

25 Q Understood. When was your -- you're talking about the trip

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1 you took to Kyiv as well as a couple other places?

2 A So I staffed the President and Ambassador Bolton at the G7
3 in Biarritz. Ambassador Bolton then proceeded to Ukraine, Moldova,
4 and Belarus. And we then proceeded to Warsaw.

5 Q I see. And did -- so I just want to be very clear about this.
6 Mr. Eisenberg told you that it was a -- you looked for the MEMCON in
7 the system and you couldn't find it. Is that right?

8 A Correct.

9 Q And then you went and asked -- what did you do -- let me ask
10 it this way: What did you do after you couldn't find it?

11 A I called the NSC Executive Secretariat staff to say,
12 essentially, what gives?

13 Q And what did they say?

14 A They said John Eisenberg had directed it be moved to a
15 different server.

16 Q What did you do next?

17 A I talked to John.

18 Q And what did he say to you?

19 A He said he did not.

20 Q What did you say back to him?

21 A I said, well, that you need to talk to Exec Sec because they
22 think you directed it.

23 Q And then what did he say to you? When did he say it was a
24 mistake?

25 A After he talked to -- well, I don't recall if it was in that

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1 exact same conversation or a separate conversation, but at some point
2 he checked in with the Exec Sec to find out why they thought he directed
3 them to do that. And he came back and said, well, I agreed with you
4 to restrict access.

5 They took that as a direction to move it to a different server,
6 which was not my -- which was not his instruction nor my recommendation.

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1 [11:22 a.m.]

2 BY MR. GOLDMAN:

3 Q And so was it your understanding that at the point of that
4 meeting the third week of August, Mr. Eisenberg was not aware that the
5 transcript had been moved to the highly classified system?

6 A That's my recollection, yes.

7 Q You said that there was a -- that you pretty early on -- and
8 correct me if this description is wrong, but you testified earlier that
9 you pretty early on understood that this issue was going to become a
10 process, I think was your language, and you tried to protect your team,
11 I think is what you said. Is that your recollection of what you said?

12 A Yes.

13 Q What did you mean by "a process"?

14 A That at this point, around July 25th, I was afraid of, as
15 I stated in my statement, if it leaked it would wind up becoming a
16 partisan political issue. And so I was -- that was among my concerns
17 about the call leaking.

18 As time went on, and I'd have to -- I don't recall precisely what
19 was playing out contemporaneously in the media, but I became further
20 concerned that it could become more than just a partisan issue, and
21 I wanted to essentially put myself between my staff and that issue.
22 I was in charge. It was my responsibility to protect them from anything
23 that would be a distraction from their mission.

24 Q And I'm not -- I don't want to go anywhere near who the
25 whistleblower is, but when did you become aware that there was a

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1 whistleblower complaint related to this issue?

2 A When the -- when the press -- press coverage of the fact of
3 a whistleblower began.

4 Q So that was in September?

5 A Whenever that happened, yes, that was when.

6 Q So you were unaware at any point in August that there was
7 a whistleblower complaint that had been filed related to this issue?

8 A To the best of my recollection, yes.

9 Q Do you recall getting a request to preserve your documents
10 at some point related to Ukraine matters?

11 A Yes.

12 Q Did you know what that related to when you received it?

13 A I don't know that I did. We've received a couple dozen of
14 those kinds of instructions -- preserve your documents, preserve your
15 documents. And my -- you know, pursuant to the Presidential Records
16 Act, the way our email is set up, the way our phone calls happen, you
17 know, my sort of entry-level basic operating assumption is there's a
18 record of everything. And, you know, I don't even think I have the
19 capability to delete an email, for example.

20 Q I understand that. But did you understand what the
21 preservation request related to?

22 A I think I saw that it was related to Ukraine. I don't believe
23 I had any understanding of much more than that.

24 Q Did you think it related to the July 25th call?

25 A I think, if I'm correct in recalling, I think what it related

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1 to was the disclosure of the hold, the hold on assistance. When that
2 leaked in late August, I think that's what I thought it was related
3 to.

4 Q Okay. Well, I believe that the date you would have received
5 the email was before the date that the public became aware of the
6 security assistance hold.

7 A Okay.

8 Q So it would be hard for it to be that.

9 A Okay. I'm telling you what my best recollection is.

10 Q And just to be clear, in any of your conversations with
11 Mr. Eisenberg in August, did he mention a whistleblower complaint
12 related to Ukraine?

13 A No.

14 MR. GOLDMAN: Our time is up. So are you good if we go another
15 45 minutes or do you want a break?

16 MR. MORRISON: Yeah, I'm good.

17 MR. BITAR: If we go another 45, we'll have lunch after that.

18 MR. GOLDMAN: Okay. And we'll yield to the minority.

19 BY MR. CASTOR:

20 Q I believe you testified earlier that the July 25th call was
21 requested through the regular NSC process. Do you remember who
22 officially requested the call?

23 A I know -- I know we, the NSC staff, were advocating a call
24 and had proposed a call.

25 Q Okay. And were there any temporal considerations of the

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1 call, before or after the parliamentary elections?

2 A We wanted it to happen as close as possible to the
3 parliamentary elections. That's when it's most ripe. And I remember
4 around the time of the 25th, we were keen on it happening then, because
5 President Zelensky had travel later that week. I don't recall what
6 day of the week the 25th was. Monday was the 22nd, so it was Thursday
7 or so. That Friday, I believe, President Zelensky had travel plans.
8 So he would be away from the secure phone he has that we would use to
9 have such a call.

10 Q And in your transition with Dr. Hill, did she express an
11 opinion on the -- whether she was in favor of having the call?

12 A Not that I recall.

13 Q Okay.

14 MS. VAN GELDER: In favor?

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1 BY MR. CASTOR:

2 Q In favor of or against the call?

3 A Not that I recall.

4 Q So you don't remember if she was against having that type
5 of call?

6 A Not that I recall.

7 Q Okay. Do you remember if she was against having the meeting,
8 the Oval Office meeting or the meeting in Warsaw, which --

9 A No, I do not.

10 Q Do you recall any concern about whether President Zelensky
11 would be a genuine reformer and follow through on his campaign
12 commitments?

13 A Yes.

14 Q And whether he would be influenced by oligarchs and whether
15 he would genuinely try to root out corruption?

16 A Yes.

17 Q And I believe there's an oligarch by the name of -- and I
18 apologize if I get the pronunciation wrong -- Kolomoisky.

19 A Yes.

20 Q [REDACTED]

21 A [REDACTED]

22 [REDACTED]

23 Q [REDACTED]

24 [REDACTED]

25 [REDACTED]

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BY MR. CASTOR:

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[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

Q Okay. But can you tell us about what the NSC view was in the lead-up to the call? Was that a concern or a potential roadblock to having the call?

A I think our view was we wanted to -- the United States to engage the Zelensky administration, to test him.

Q And do you know by the time the July 25th call had happened whether he had an opportunity to implement any reforms?

A He had not. The July 25th call was incident to the Rada election. The Rada, the new Rada, would not be seated until the end of August.

Q Okay. And after the Rada was seated, do you know if President Zelensky made an effort to implement those reforms?

A I do.

Q And what reforms generally can you speak to?

A Well, he named a new prosecutor general. That was something that we were specifically interested in. He had his party introduce a spate of legislative reforms, one of which was particularly significant was stripping Rada members of their parliamentary immunity. That passed fairly quickly, as I recall. Those kinds of things.

Q And within what time period were some of those initial

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1 reforms passed?

2 A Very, very quickly.

3 Q Okay. So in the month of August?

4 A When we were -- when Ambassador Bolton was in Ukraine and
5 he met with President Zelensky, we observed that everybody on the
6 Ukrainian side of the table was exhausted, because they had been up
7 for days working on, you know, reform legislation, working on the new
8 Cabinet, to get through as much as possible on the first day.

9 Q Remind me again of Ambassador Bolton's visit. Was that
10 August, at the end of August?

11 A It was the end of August. It was between the G-7 and the
12 Warsaw commemoration.

13 Q So by Labor Day, for example?

14 A I seem to recall we were -- we -- we were there on the opening
15 day of the Rada. President -- President Zelensky met with Ambassador
16 Bolton on the opening day of the Rada, and they were in an all-night
17 session. Yeah. So, I mean, things were happening that day.

18 Q So by Labor Day, things had really -- there had been --

19 A Yes.

20 Q -- definitive developments --

21 A Yes.

22 Q -- on the front to demonstrate that President Zelensky was
23 committed to the issues he campaigned on?

24 A Yes.

25 Q Did you emerge from those meetings with Ambassador Bolton

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1 encouraged that President Zelensky was a genuine reformer?

2 A Yes.

3 Q And he had the best interests of the Ukrainian people in mind?

4 A Yes.

5 Q And that he was not a self-dealing bad guy?

6 A Yes.

7 Q Do you think Ambassador Bolton shared that view?

8 A Yes.

9 Q And did you look forward to coming back to the United States
10 and communicating that through the interagency process?

11 A Yes.

12 Q Up the chain to the President and so forth?

13 A Yes.

14 Q Okay. And did you have an opportunity to communicate that
15 up the chain once you did get home?

16 A We communicated it before we got home.

17 Q Okay. So relatively quickly, that message was communicated
18 back to President Trump and his top aides?

19 A Yes.

20 Q Okay. Do you know if that information was well-received?

21 A By whom?

22 Q By President Trump and his top aides. Did you get any
23 feedback or word of feedback?

24 A Could you restate the question or repeat the question,
25 please?

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1 Q Did you -- well, maybe I should start with who passed that
2 information on, was that you or Ambassador Bolton or both of you?

3 A Ambassador Bolton.

4 Q Okay. And do you know whether Ambassador --

5 A I passed some of the information along, too.

6 Q Okay. And did you get any feedback that these are good,
7 positive first steps?

8 A So we -- I called back to my team. I told them to provide
9 some updates to the prep materials that we had prepared for the
10 President for what we then believed would be his meeting with President
11 Zelensky.

12 When it became clear, because of the hurricane, that the President
13 would not travel to Warsaw, I made sure to convey that information to
14 the Vice President's staff.

15 Q And the next part of the trip was going to Warsaw?

16 A We went from Ukraine, Moldova, Belarus, to Warsaw.

17 Q You were in the meeting between the Vice President and
18 President Zelensky?

19 A Yes.

20 Q Can you recall generally the message Vice President Pence
21 communicated to President Zelensky?

22 A Yes.

23 Q What was that?

24 A It was to convey U.S. support for Ukraine. It was to convey
25 President Trump's focus on President Zelensky's -- well, not

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1 necessarily President Zelensky's -- President Trump's focus on
2 corruption reform in Ukraine.

3 It was also to convey President Trump's concern that the United
4 States ought not be the only country providing security assistance to
5 Ukraine.

6 Q Did the Ukrainians raise the issue of support, financial
7 support at that point?

8 A Yes.

9 Q And what do you remember of that?

10 A They were frustrated. They were surprised by the public
11 disclosure on or about the 28th. And they were looking for clarity
12 from the Vice President about why there was a hold, what the review
13 was looking at.

14 Q Okay. And did the Vice President try to encourage them that
15 the hold would be lifted?

16 A He tried to encourage them that -- to continue to hold true,
17 that the United States supports Ukraine, and that they should continue
18 to do as much as possible to gain more support from the Europeans and
19 to continue the corruption reform agenda.

20 Q Okay. Did he attempt to allay their concerns about whether
21 the aid would be delivered? Because we're coming up on the end of the
22 fiscal year. To the best of your recollection?

23 A There was only so much he could say.

24 Q Okay. Did he make any commitments to the Ukrainians during
25 that meeting?

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1 A No.

2 Q Okay.

3 A Well, yes, he made one. He would relay what he believed was
4 a very positive meeting, the content of that meeting, to President
5 Trump.

6 Q Okay. In short order?

7 A Yes.

8 Q Okay. Do you know if the Vice President did that?

9 A Yes.

10 Q And did you get any readout of how that conversation went --

11 A Yes.

12 Q -- or the President received it?

13 A Yes.

14 Q In a positive way?

15 A I did receive a readout.

16 Q Was the President positive at that point or was he still
17 skeptical?

18 A Still skeptical.

19 Q Was the President's skepticism, in part, based on our allies,
20 their support of Ukraine financially?

21 A Yes.

22 Q Okay. So he was still concerned that our allies could do
23 more?

24 A Yes.

25 Q And he was still concerned by his general issue with using

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1 U.S. taxpayer dollars overseas?

2 A To the best of my understanding.

3 Q During the Warsaw visit Ambassador Sondland, I guess, had
4 a sidebar with Yermak?

5 A Yes. Ukrainian Presidential Adviser Yermak.

6 Q Did you witness that exchange?

7 A I witnessed it, yes.

8 Q Okay. And were you part of the exchange or did you just see
9 it occur?

10 A I saw it occur.

11 Q Okay. And what did you learn about that exchange? I guess
12 Ambassador Sondland told you what he told Yermak?

13 A He came -- he essentially walked across a, you know, a -- I
14 don't know how to describe the room. He walked across the space and
15 he briefed me on what he said he had said to Mr. Yermak.

16 Q Okay. What did he tell you?

17 A He told me that in his -- that what he communicated was that
18 he believed the -- what could help them move the aid was if the
19 prosecutor general would go to the mike and announce that he was opening
20 the Burisma investigation.

21 Q And this occurred after the Vice President's meeting?

22 A Yes.

23 Q So the Vice President had just met with President Zelensky?

24 A Yes.

25 Q And the word "Burisma" wasn't -- didn't come up?

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1 A No.

2 MR. CASTOR: Are you going to interrupt me?

3 MR. BITAR: No. Just for the record, when you mentioned -- when
4 the witness mentioned "Burisma," he put quotation marks in the air.
5 I just want to make sure that that's in the --

6 MR. MORRISON: I meant by that the Burisma bucket.

7 MR. BITAR: Understood. Thank you.

8 MR. CASTOR: Sorry. I didn't mean to --

9 MR. BITAR: No, no. It was just to make sure the record's
10 accurate.

11 MR. CASTOR: Okay, fair enough. Believe it or not, there have
12 been some back-and-forths that maybe led to some questions on my part.
13 So I apologize to my colleague.

14 BY MR. CASTOR:

15 Q Getting back to the Vice President's meeting, the word
16 "Burisma" didn't come up in it?

17 A It did not.

18 Q The name Biden was not mentioned?

19 A It was not.

20 Q Whether Hunter Biden or former Vice President Biden?

21 A No form of Biden.

22 Q The word "CrowdStrike" didn't come up?

23 A It did not.

24 Q Any specific investigation?

25 A No, not to the best of my recollection.

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1 Q Any investigation relating to the run-up to the 2016
2 election?

3 A No.

4 Q Okay. So the meeting ends and that's the definitive, you
5 know, U.S. position at this point. The Vice President just
6 communicated with the President of Ukraine, right?

7 A Yes.

8 Q So did you have any idea why Ambassador Sondland felt it was
9 necessary to go and track Mr. Yermak down?

10 A No. But, in fairness, I also didn't know why Ambassador
11 Sondland was in the meeting.

12 Q Okay. Ambassador Sondland didn't consult you prior to doing
13 that, did he?

14 A No.

15 MS. VAN GELDER: Doing what?

16 MR. CASTOR: Going to speak with Yermak. Fair enough.

17 MR. MORRISON: Yes, he did consult with me about going to the
18 meeting.

19 BY MR. CASTOR:

20 Q Okay. And what did you tell him?

21 A He said he wanted to have a seat in the meeting. And I said,
22 okay, Gordon, I'll see what I can do.

23 Q Okay. And did you help him get a seat in the meeting?

24 A No.

25 Q Okay. How did he get a seat in the meeting?

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1 A I do not know.

2 Q Okay. Did you ever have any communications with him in that
3 timeframe about not doing something of this sort, of going up and having
4 these communications with Yermak?

5 A No.

6 Q Okay. When he came back to you and related what he just
7 exchanged with Mr. Yermak, did you give him any feedback, such as, Why
8 did you do that? Or did you just -- or you were just receiving?

9 A I took it on board and immediately started thinking about
10 who I wanted to call about it.

11 Q Okay. And who did you call about it?

12 A Ambassador Bolton, Ambassador Taylor. And I made sure
13 to -- there were no NSC lawyers on this trip. I made sure to
14 communicate the same to the lawyers when I got back.

15 Q Okay. And you just related the communication?

16 A Yes.

17 Q And your concern about it?

18 A Yes.

19 Q Okay. And did any of those parties give you any advice or
20 recommendations on how to handle it, or was it just noting it for the
21 file?

22 A Ambassador Bolton's direction, consistent with my instinct,
23 was make sure the lawyers are tracking.

24 Q Okay. At any point did you feel comfortable telling
25 Ambassador Sondland that maybe what he was doing here wasn't helpful?

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1 A I didn't -- I didn't deem it would result in anything.

2 Q Okay. Had you ever, before this point, had you ever tried
3 to moderate some of his tendencies?

4 A On -- yes.

5 Q And how did you try to do that?

6 A So staying within the scope of the inquiry, I would just -- on
7 issues that I thought were in my purview, I would offer him counsel
8 on what others in the interagency were doing that he should factor into
9 his instinct or his impulse, or I would tell him that I thought there
10 was perhaps a more effective way to get it done than he was
11 contemplating.

12 Q And he wasn't a career diplomat, right?

13 A No.

14 Q He's somebody coming from outside of government. He's a
15 hotelier. Is that right?

16 A As I understand it from press reporting.

17 Q Okay. And do you think some of these issues with Ambassador
18 Sondland related to the fact that he just wasn't a professional diplomat
19 and hadn't really been steeped in the art of diplomacy?

20 A When Fiona started talking to me about the portfolio, and
21 then when I met with Ambassador Sondland on 10 July, I found -- he
22 represented to me that his mandate from the President was to go make --

23 MS. VAN GELDER: Who?

24 MR. MORRISON: Sorry, Ambassador Sondland.

25 That his mandate from the President was to go make deals. And

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1 he expressed -- this is in the 10 July meeting -- he expressed his
2 frustration that he felt that on occasion Fiona thwarted him, and she
3 didn't tell him she was going to do that.

4 And Fiona's original advice was just steer clear of Gordon. And
5 I said I thought what would be more effective and the approach I would
6 pursue was I'd rather have him inside the tent, you know, rather than
7 outside the tent. And so I wanted to know what he was doing and do
8 my best to spy, you know, problems as opposed to being ignorant.

9 BY MR. CASTOR:

10 Q Okay. And did you have any success whatsoever? Those are
11 noble things that, you know, you want to achieve, but did you have any
12 success, do you think?

13 A I think so, but the examples I would offer are outside the
14 scope of the inquiry and --

15 Q Okay. So you had a relatively amicable relationship with
16 him?

17 A That's what I saw it, and I believe I had it.

18 Q Okay. Did he ever understand that -- I mean, the
19 interagency process and the coordination role that the National
20 Security Council performs is -- you know, has its complexities. Do
21 you think he appreciated that?

22 A No.

23 Q Okay. And did you ever try to help him understand that if
24 he's having communications with the Ukrainians about issues where
25 there's, you know, a great level of complexity involved he might foul

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1 something up?

2 A Yes. Well, I'm sorry, please restate the question or re-ask
3 the question.

4 Q That there's complexities involved here, and if he doesn't
5 fully apprise himself of these complexities involving all the different
6 interagency components he might foul something up?

7 A So specific to Ukraine --

8 Q Right.

9 A -- I will say that I did. I was very transparent with him,
10 for example, with respect to trying to schedule meetings with the
11 President, that I was not going to do that with him. I was going to
12 do that through Bill Taylor. He was our chief of mission. He's the
13 appropriate conduit. He should be having those discussions with the
14 Ukrainians.

15 Q Or Ambassador Bolton, the front office of the NSC, right?

16 A What about Ambassador Bolton?

17 Q If there's going to be meetings scheduled with the President.

18 A If there would be meetings scheduled with the President, yes,
19 I'd expect Ambassador Bolton --

20 MS. VAN GELDER: Can we identify which President we're having
21 meetings with?

22 BY MR. CASTOR:

23 Q I'm sorry. President Trump.

24 A If we're talking about a meeting between President Trump and
25 a foreign head of state or head of government, I would first make sure

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1 Ambassador Bolton supported such an engagement. And if he did, then
2 I would endeavor to help schedule it, and I would do that through the
3 chief of mission, Bill Taylor.

4 Q Okay. Tell us about your experience with Ambassador Volker.

5 A I had known Kurt for some time before we both found ourselves
6 serving in the Trump administration. And in the course of the Trump
7 administration, I met with him two or three times. I talked to him
8 two or three additional times.

9 Q And he had a little bit more experience than Ambassador
10 Sondland?

11 A Yes. He was our perm rep to NATO.

12 Q Right. And did you ever have any communications with
13 Ambassador Volker about Ambassador Sondland's operations here?

14 A Yes.

15 Q And what do you remember telling Ambassador Volker?

16 A I told him what I was aware of happening as had been related
17 to me largely by Ambassador Sondland, but also by Ambassador Taylor.

18 And I asked Kurt: Kurt, what's your involvement here? What's
19 your role here? What do you think of what's going on? And he expressed
20 his concerns about what he saw going on. And we both agreed that it
21 was problematic, and we were attempting to follow as best we could the
22 normal policy process to achieve the right outcomes.

23 Q Did you ever ask Ambassador Volker to attempt to moderate
24 Ambassador Sondland's activities?

25 A No.

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1 Q Okay. Did he ever suggest to you affirmatively that he was
2 doing his best with the Ambassador Sondland aspect of this?

3 A I'm hesitating, because I'm struggling to recall exactly how
4 we discussed what he was trying to do.

5 I don't recall how he described any attempt to modulate Gordon.

6 Q Okay. Did you see Ambassador Volker as someone that might
7 be able to modulate Ambassador Sondland, or was he beyond Ambassador
8 Volker's ability to influence?

9 A I saw Kurt as a like-minded advocate for U.S.-Ukrainian
10 relations, and I wanted to chiefly understand what his role in this
11 side process was, because of -- I'd heard his name by both Ambassador
12 Sondland and Ambassador Taylor as being involved, and I wanted to
13 understand for myself what he was doing.

14 Q And what did you come to learn that he was doing?

15 A That he was trying not to get involved in what -- what he
16 was doing. He saw that it was -- it was problematic.

17 Q And you never heard Ambassador Volker advocate for any sort
18 of investigation into Vice President Biden, did you?

19 A I did not.

20 Q Or Hunter Biden?

21 A I did not.

22 Q Did you ever hear Ambassador Volker advocate for any sort
23 of specific investigation of a U.S. person?

24 A I did not.

25 Q Getting back to the Warsaw visit, you had a meeting at the

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1 hotel, not in a hotel room, but with Mr. Danylyuk?

2 A I did.

3 Q And what can you tell us about that meeting?

4 A There were a couple topics. The one I will discuss is
5 the -- he wanted to discuss the security assistance. He wanted to
6 share his President's state of mind as to his confidence in the
7 credibility of U.S. support for what Ukraine was doing in the security
8 space chiefly. And so that's why I went over to meet with him.

9 Q Okay. And were you able to -- did he -- were you able to
10 allay his concerns that the security assistance would be forthcoming?

11 A No.

12 Q Did you try to do that?

13 A I tried to explain to him, based on what I thought a foreigner
14 needed to know about what was going on and President Trump's general
15 approach to foreign assistance.

16 Q Okay. And you were still hopeful at this point the aid would
17 be released?

18 A Yes.

19 Q And did you in any way signal to him that you were hopeful
20 the aid would be released, given the bipartisan support for it?

21 A I tried to frame it more from the perspective of he -- I did
22 not think he needed to despair. I did not feel comfortable pledging
23 to him that the aid would be released, or I did not feel comfortable
24 foreshadowing a positive outcome, but I also tried to let him know -- I
25 tried to assure him that we were still in the review process and there

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1 was still time.

2 Q Okay. And did you relay to him that you were supportive of
3 the aid being released?

4 A No.

5 Q Okay. Moving forward to after the Warsaw visit on September
6 7th, Ambassador Taylor relates in his opening statement on page 12 that
7 you described a phone conversation that I guess was related to you from
8 Ambassador Sondland. This is the third paragraph on page 12.

9 A Yes.

10 Q Ambassador Taylor writes, "Mr. Morrison said that he had a
11 sinking feeling after learning about this conversation from Ambassador
12 Sondland."

13 Let me ask you a question first. Was this the first time you had
14 a sinking feeling after talking to Ambassador Sondland?

15 A No.

16 Q Okay. What do you remember Ambassador Sondland telling you
17 on this day?

18 A If I recall correctly -- so we're talking 2 days later,
19 September 7th. So this is after, I believe -- so this was, I think,
20 the conversation where -- I don't know if this was the first
21 conversation or the second conversation I had after 1 September with
22 Gordon, but this was a conversation where Gordon related that
23 both -- the President said there was not a quid pro quo, but he further
24 stated that President Zelensky should want to go to the microphone and
25 announce personally -- so it wouldn't be enough for the prosecutor

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1 general, he wanted to announce personally, Zelensky personally, that
2 he would open the investigations.

3 Q Okay. Was this Ambassador Sondland talking?

4 A I was relating to Ambassador Taylor my conversation with
5 Ambassador Sondland.

6 Q And do you think -- was Ambassador Sondland -- had he related
7 to you that the President had said this?

8 A Yes.

9 Q Okay. And you had a sinking feeling about this. Could you
10 explain why?

11 A Well, it's September 7th. September 30th is coming. I was
12 growing pessimistic that we would be able to see the tumblers align
13 to get the right people in the room with the Presidents to get the aid
14 released.

15 I also did not think it was a good idea for the Ukrainian President
16 to -- at this point I had a better understanding -- involve himself
17 in our politics.

18 Q And did you communicate that to Ambassador Sondland when
19 he -- did you try to urge Ambassador Sondland that these types of
20 discussions were not helpful?

21 A Well, he was transmitting to me a conversation he had with
22 the President. I mean, he'd already had the conversation with the
23 President.

24 Q Right. But did you provide him any feedback, like if this
25 comes up again, we shouldn't be doing this?

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1 A No.

2 Q You spoke again with -- I'm sorry, Ambassador Taylor on the
3 following day spoke on the phone with Ambassador Sondland. Was that
4 ever related to you?

5 A I'm sorry, repeat that.

6 Q On the following day, September 8th --

7 A Yeah.

8 Q -- Ambassador Taylor writes: Ambassador Sondland and
9 I -- meaning Ambassador Taylor -- spoke on the phone and he related
10 that President Trump had suggested that he needed to clear things up
11 with President Zelensky.

12 A I was not aware at the time that this happened.

13 Q Okay. Did you ever have any communications with Ambassador
14 Taylor about this?

15 A About the phone call on September 8th?

16 Q Yes.

17 A Not that I recall, because this would soon be superseded by
18 the decision to release the aid.

19 Q Okay. Did you know at this point in time that Ambassador
20 Taylor had begun to work his own channel, expressing his concern about
21 the separate process, as you describe?

22 A I guess I'm not necessarily familiar with what you're
23 describing.

24 Q Are you aware that Ambassador Taylor expressed concerns up
25 his own chain of command about Ambassador Sondland?

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1 A No.

2 Q Okay. Did he ever relate to you that he had a communication
3 with Ambassador Bolton during the Warsaw trip?

4 A Yes.

5 Q Okay. And what do you remember from that communication?

6 A He described for me that --

7 MS. VAN GELDER: Who's "he"?

8 MR. MORRISON: I'm sorry, fair point.

9 Ambassador Taylor described for me that his conversation with
10 Ambassador Bolton, where essentially Ambassador Bolton suggested to
11 Ambassador Taylor: If I were you, I would send a first-person cable
12 back to Secretary Pompeo, describing to him your concerns about the
13 impact of failing to provide the aid to Ukraine.

14 BY MR. CASTOR:

15 Q Okay. Did you ever come to learn whether Ambassador Taylor
16 sent that cable?

17 A I did.

18 Q Okay. And did Ambassador Taylor ever tell you about it or
19 did you just learn from public reports?

20 A He told me about it.

21 Q Okay. And at this point, was Ambassador Taylor
22 getting -- did he ever talk to you about possibly resigning?

23 A Yes.

24 Q Okay. And what was -- what were those communications?

25 A He -- so this -- I mean, I forget exactly when, but he had

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1 a conversation about, has there been a change in policy? And I said
2 it remained to be seen. And he said that he had explained to Secretary
3 Pompeo when agreeing to take the post that if our policy was not going
4 to be clear support for Ukraine, Ukrainian security, that he could not
5 serve in the post and he would resign.

6 Q And did you do anything with that information? Did you try
7 to alert Ambassador Bolton or anybody that we need to keep Ambassador
8 Taylor on the team here?

9 A I kept -- so I would tell Ambassador Bolton -- I don't know
10 that I ever specifically referenced a conversation I had with
11 Ambassador Taylor with Ambassador Bolton except for possibly the
12 conversation on September 7th, because -- I think it was September
13 7th -- because it discussed when Ambassador Sondland -- in that
14 conversation, Ambassador Taylor discussed that Ambassador Sondland had
15 told him: No, I don't actually think it will be enough for the
16 prosecutor general to say it. I think the President is going to want
17 to hear from the President. I made a mistake.

18 So I remember having that discussion with Ambassador Taylor.

19 And -- I'm sorry, was that responsive?

20 Q I think so. But did you ever put your head together with
21 Ambassador Bolton or other officials about now Ambassador Taylor has
22 some real concerns about this -- you describe it as a separate process.

23 A Uh-huh.

24 Q Ambassador Taylor calls it an irregular process.

25 A Uh-huh.

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1 Q Different people here have characterized it differently.

2 So did you have any -- did you try to communicate to anybody at
3 the State Department or up the NSC chain of command, like, Ambassador
4 Taylor has some serious concerns here, we should do something to
5 alleviate them?

6 A Well, I -- in traveling to Ukraine, I spent some time talking
7 to Ambassador Bolton about who Ambassador Taylor is and about our
8 conversations and about Ambassador Taylor's sense of what was happening
9 on the ground in Ukraine.

10 I don't recall if Ambassador Bolton was familiar with Ambassador
11 Taylor from prior government service. I don't recall that I ever
12 conveyed to Ambassador Bolton Ambassador Taylor's view that if there
13 had been a change in policy he would have to resign.

14 Q Okay. During your conversations with Ambassador Bolton at
15 this time did you signal to him that what Ambassador Sondland was doing
16 was not helpful?

17 A I kept Ambassador Bolton -- on a few occasions, when there
18 had been some new development from Gordon, something new he briefed
19 me on that he was doing, I would brief Ambassador Bolton and make sure
20 Ambassador Taylor was tracking.

21 And so I had a number of conversations with Ambassador Bolton
22 where we strategized on how we would get the President to yes on the
23 security assistance, and we were both mindful in those discussions
24 about Gordon is this free radical out there.

25 Q And as it was getting closer to the end of the fiscal year,

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1 that free radical element could have turned real problematic, right?

2 A We were mostly focused on how do we see us getting this done.
3 Because it wasn't -- you know, in some respects, we weren't actually
4 focused on September 30th. We were focused on September 15th, because
5 of the notice-and-wait requirement on State Department assistance.

6 Q Okay. And did you ever make a determination, like, let's
7 get him out of this process so we can get this done?

8 A So I never made that determination, because I think at my
9 level I didn't think I could do that, because Ambassador Sondland
10 represented he had access to the President.

11 I think -- I do recall -- I know Ambassador Bolton was frustrated
12 with Ambassador Sondland's involvement in these issues -- frankly,
13 involvement in a lot of issues -- and we were both frustrated that
14 Ambassador Sondland's essentially direct boss didn't seem to be engaged
15 in reining him in.

16 Q And his direct boss was Secretary Pompeo?

17 A Yes.

18 Q Did you know if Ambassador Bolton tried to talk
19 to -- communicate with Secretary Pompeo?

20 A About Ambassador Sondland?

21 Q Yes.

22 A I do not.

23 Q Okay. Do you know if Secretary Pompeo was aware of these
24 concerns?

25 A Which concerns?

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1 Q About Ambassador Sondland involving himself in what you
2 described as a separate process.

3 A I am not aware.

4 Q Okay. Did you have any conversations with Counselor
5 Brechbuhl?

6 A About Ukraine?

7 Q About Ambassador Sondland.

8 A No.

9 Q Okay. Did you have any -- did you express your concern about
10 Ambassador Sondland's role to anybody at the State Department other
11 than Ambassador Taylor?

12 A No.

13 Q Okay. So you didn't have any discussions with George Kent
14 or --

15 A Not about Ambassador Sondland.

16 Q Assistant Secretary Reeker or Ambassador Reeker?

17 A Not about Ambassador Sondland in this process.

18 Q Okay. How about other elements of this separate process,
19 such as Rudy Giuliani?

20 A No.

21 Q Okay. And were there any other elements of this separate
22 process that you did discuss with Ambassador Reeker?

23 A No. What I discussed with Ambassador Reeker was, gosh,
24 Gordon is a problem.

25 Q Okay. Did he agree?

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1 A Yes.

2 Q Did everyone agree on that topic? Did anybody think he was
3 adding value here?

4 A Gordon did.

5 Q Did you -- when did you come to learn that there was this
6 statement that was being discussed with Mr. Yermak about
7 investigations?

8 MS. VAN GELDER: You asked the question: Did you? I mean, what
9 we're doing is not -- we've already agreed what we're doing is not
10 encompassing anything that is then in preparation of this.

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1 BY MR. CASTOR:

2 Q Sure.

3 Did you become aware that there was draft language of an
4 anticorruption statement that the Ukrainians were working on?

5 A I did become aware.

6 Q And when did you become aware of that?

7 A My clearest recollection of when I became aware is in
8 reviewing the public disclosure of Ambassador Volker's text messages.

9 Q Okay. So this is after he started?

10 A I was surprised to see my name in text messages that I was
11 not aware of.

12 Q Okay. Did you have any advance notice that these text
13 messages were being released?

14 A No.

15 Q So you were surprised when they were?

16 A My surprise was my name was in them.

17 Q Okay. And you were surprised -- were they your text
18 messages?

19 A No.

20 Q Okay. They were just referring to you in the text messages?

21 A Yes.

22 Q Is that the first time that you learned that there was a
23 discussion of an anticorruption statement being drafted by the
24 Ukrainians for possible issue?

25 A As near as I can recall, yes.

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1 Q Okay. So you weren't aware of this in real time?

2 A No.

3 Q Were you aware in real time that there was some discussion
4 of having President Zelensky give an interview where he would
5 communicate his anticorruption bona fides?

6 A Beginning September 1, when I heard from Ambassador
7 Sondland, yes, I was aware that there was that idea that, hey, he should
8 do this --

9 Q Okay.

10 A -- from Ambassador Sondland.

11 Q And did you have any concern about that?

12 A Yes.

13 Q And did you communicate your concern to Ambassador Sondland?

14 A I communicated my concern to Ambassador Taylor, because I
15 wanted him to be in a position to take action to advise the Ukrainians
16 not to do it.

17 Q Okay.

18 A And I communicated my concerns to Ambassador Bolton, who
19 directed me to communicate them to NSC Legal.

20 Q Okay. And ultimately, there was no interview, correct?

21 A Correct.

22 Q So that was a good result?

23 A Yes, for the time.

24 Q Were you comfortable with any aspect of this public statement
25 or public affirmation that Zelensky, you know, make at the behest of

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1 U.S. -- you know, the U.S. Government?

2 A So keeping in mind when I learned about a statement, I was
3 not comfortable with any idea that President Zelensky should allow
4 himself to be involved in our politics.

5 Q Okay. But going back to the sidebar that Sondland had with
6 Yermak in Warsaw?

7 A Going back to it, was I comfortable with --

8 Q Well, I want to just refer you back to the sidebar --

9 A Yes.

10 Q -- Sondland had with Yermak. At that time, Sondland is
11 trying to get the Ukrainians to do something public, correct?

12 A Yes.

13 Q With regard to investigations?

14 A Yes.

15 Q And I guess my question is, did you have a concern with
16 anything related to, you know, investigations, or was it just specific
17 investigations?

18 A My concern was what Gordon was proposing about getting the
19 Ukrainians pulled into our politics.

20 Q Okay. So if the Ukrainians had issued a generalized
21 statement about anticorruption efforts and reform, that would have been
22 okay with you?

23 A They had, in fact.

24 Q Okay. So it's only when they get into Burisma and 2016 and
25 the Bidens and so forth that it became problematic in your mind?

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1 A Yes.

2 Q Going back to the spring of 2019, there were a number of
3 narratives circulating in the media with Rudy Giuliani and John Solomon
4 and The Hill relating to some of these issues that we discussed about
5 the black ledger, about specifically Ambassador Yovanovitch. Did
6 you -- when did you first come to know about these issues and their
7 impact?

8 A The first I've ever heard of a black ledger is you just now.

9 Q Okay. So you're unfamiliar with the issue relating to Paul
10 Manafort?

11 A I'm aware of Paul Manafort. I'm aware of, you know, the
12 prosecution about Paul Manafort. I'm aware he was doing business up
13 until a point in Ukraine.

14 Q Okay. I'll just say one more thing and I'll turn it over.
15 Were you aware of an investigative journalist in the Ukraine,
16 Serhiy Leschenko, that published information about the black ledger?

17 A No.

18 MR. CASTOR: Okay. My time is up.

19 MR. GOLDMAN: Why don't we take a half-hour break for lunch? Is
20 that good? And we'll return at 12:45.

21 [Recess.]

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1 [12:53 p.m.]

2 THE CHAIRMAN: Let's go back on the record. Forty-five minutes
3 to Mr. Noble.

4 BY MR. NOBLE:

5 Q So, Mr. Morrison, I'd like to go back to -- I believe in the
6 last round you referenced a July 10th meeting with Ambassador Sondland.
7 Was that at the White House?

8 A Yes.

9 Q And can you just tell us what happened during that meeting,
10 what you discussed with Ambassador Sondland?

11 A Yes. It wasn't -- there was no particular policy
12 discussion. It was mostly -- by that point, it was fairly well-known
13 I was succeeding Fiona.

14 And Ambassador Sondland came in and just made clear he did not
15 believe he had a constructive relationship with Fiona, her office, the
16 NSC overall, and he was -- he hoped that that was -- that this would
17 be an opportunity to turn the page and have what he would believe to
18 be a more constructive relationship.

19 Q Did he say anything about how he came to be involved in
20 Ukraine, given that he's the Ambassador to the EU? Did he explain where
21 he was getting his authority from?

22 A I don't recall if he explained in that meeting, but I do
23 recall Ambassador Sondland making clear that he was involved in Ukraine
24 because the President wanted him involved in Ukraine.

25 Q Do you know whether Ambassador Bolton ever spoke to the

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1 President, President Trump, about Ambassador Sondland and his
2 involvement and your concerns about his involvement? Just the fact
3 of the conversation, whether there was a conversation or not.

4 MS. VAN GELDER: Whether he knows?

5 MR. NOBLE: Exactly.

6 MR. MORRISON: Between Ambassador Bolton and the President about
7 Ambassador Sondland?

8 BY MR. NOBLE:

9 Q Exactly.

10 A I am not aware.

11 Q Okay. What about any conversation between Ambassador
12 Bolton and the President about Rudy Giuliani and his role in Ukraine?

13 A I am not aware.

14 Q I want to just ask you a quick question about something else
15 that's in Ambassador Taylor's testimony.

16 On page 6 of his opening statement, if you go down to the third
17 paragraph, it states that on July 10th, Ambassador Taylor had
18 conversations with Oleksandr Danylyuk and Andrey Yermak.

19 Oh, I'm sorry, next paragraph. The same day, July 10th, he met
20 with President Zelensky's chief of staff, Andriy Bohdan and then
21 Foreign Policy Adviser to the President and now Foreign Minister Vadym
22 Prystaiko, who told Ambassador Taylor that they had heard from Mr.
23 Giuliani that the phone call between the two Presidents was unlikely
24 to happen and that they were alarmed and disappointed. Ambassador
25 Taylor said he relayed their concerns to Counselor Brechbuhl.

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1 Did Ambassador Taylor ever tell you that Mr. Giuliani was having
2 such communications directly with Ukrainian officials? Because here
3 he says he alerted at least Counselor Brechbuhl as of July 10th. Would
4 he have ever alerted you, or did he ever alert you to these
5 conversations?

6 A I have no clear recollection of him inform -- of Ambassador
7 Taylor telling me about Mr. Giuliani's engagements with Ukrainian
8 officials. We were chiefly focused on Ambassador Sondland's
9 engagements with Ukrainian officials.

10 Q Fast-forwarding a little bit to August, following up on
11 something that you testified about earlier, you said that there was
12 something that prompted you to want to shield your people who are
13 involved in Ukraine policy, or something to that effect?

14 A Uh-huh.

15 Q Can you explain to us what prompted you to, you know, have
16 those concerns or want to shield your people?

17 A It -- not precisely. It may have just been the accumulation
18 of data points, but at some points I just became concerned that this
19 parallel process was going to turn into something -- and here we
20 are -- and I wanted to keep my people focused on their mission and not
21 have them dragged into anything if I felt like I could handle it.

22 Q So there was nothing that you can recall in particular that
23 prompted this concern at a particular date?

24 A It was -- it was -- so there were the two things I referenced.
25 It was, you know, I had been advised when I took over the shop by Dr.

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1 Hill and her deputy and others in the office about Alex's judgment.
2 Alex was the director responsible for Ukraine. So I wanted to manage
3 very carefully his involvement.

4 But I also, you know -- I made sure that I was the one to handle
5 the engagements with Ambassador Taylor, I didn't defer them down to
6 my deputy or to Alex, because I just -- I had concerns that this issue,
7 the injection of this parallel process, it just -- I was concerned about
8 it.

9 Q Who was your deputy?

10 A John Erath.

11 Q Was he your deputy -- oh, to this day?

12 A Yes.

13 Q Did you inherit him from Dr. Hill?

14 A Yes. Well, yes.

15 Q So to speak?

16 A Yes.

17 Q Okay. So I'd like to ask you about a series of the
18 interagency meetings to discuss the security assistance.

19 So I believe there initially was a sub-PCC meeting on July 18th.
20 You wouldn't have attended that meeting, correct?

21 A No.

22 Q Okay. Did you get a readout after that meeting happened?

23 A Yes.

24 Q Who did you get the readout from?

25 A Alex.

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1 Q Okay. What did he tell you?

2 A That at his level, the departments and agencies were aligned,
3 that they -- that everyone supported the ongoing disbursement of the
4 security-sector assistance.

5 Q Did he tell you that there had been an announcement made at
6 the sub-PCC about the hold?

7 A I think he indicated that OMB was present at the sub-PCC,
8 and they had elaborated on what we had already heard about the hold
9 and the extent of the hold, that it covered all dollars, DOD and
10 Department of State, and it was -- it was beyond funds not yet obligated
11 to include funds that had, in fact, been obligated but not yet expended.

12 Q When was the first time you learned about the hold?

13 A So I don't have a clear recollection. This was not a
14 scheduled meeting between Dr. Kupperman and myself. But it was
15 some -- it was on or about 15 July.

16 Q Okay. And what did Dr. Kupperman tell you about the hold?

17 A Only that OMB had -- the chief of staff had informed OMB -- I
18 should be clear -- the chief of staff's office had informed OMB that
19 it was the President's direction to hold the assistance.

20 Dr. Kupperman stated that we owe the President the views of the
21 interagency, make sure all the departments and agencies are aligned
22 as to the importance of the aid, in order to provide the President on
23 up through the interagency process the endorsement of the interagency
24 behind the continuation of the aid.

25 Q And are you aware that by that point, July 15th, when you

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1 learned that, the Department of Defense, in consultation with the
2 Department of State, had already certified that Ukraine had met the
3 preconditions to receive the aid under the National Defense
4 Authorization Act?

5 A I don't know when I became aware of that. It might have been
6 at the PCC I chaired. But I did become aware of that.

7 Q Okay. Let's talk about the PCC you chaired. When did that
8 take place?

9 A I believe it was 23 July.

10 Q Okay. And did anyone from OMB participate at that meeting?

11 A Yes.

12 Q Who were the representatives of OMB?

13 A There were two personnel from OMB. I don't -- I did not
14 bring with me their names.

15 Q Okay. What, if anything, did the -- either of the reps from
16 OMB say about the hold at that meeting?

17 A That the hold had been imposed by the chief of staff's office,
18 and they had been informed it was at the direction of the President.

19 Q What were the views of the other interagency participants
20 at the meeting?

21 A That the aid is essential to Ukraine's security, the U.S.
22 relationship with Ukraine, and it should be released at the earliest
23 opportunity.

24 Q Was there any reason provided by the OMB reps or anyone else
25 at the meeting for the hold?

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1 A No.

2 Q Where did you -- what were the do-outs or next steps decided
3 at the PCC?

4 A We would have a Deputies Committee meeting.

5 Q Was there any discussion of the legality or illegality of
6 the hold at the PCC meeting?

7 A Yes.

8 Q What was -- can you explain what was discussed?

9 A Because of the nature of the appropriations, is it actually
10 legally permissible for the President to not allow for the disbursement
11 of the funding.

12 Q And what law would be possibly violated if the
13 disbursement --

14 A I'm going to hesitate from providing a legal opinion. I know
15 there were various views. And up until the release of the assistance
16 there were various views as to whether or not there was, in fact, a
17 legal problem.

18 Q Okay. Who was raising concerns that there may be a legal
19 problem?

20 A OSD.

21 Q That's Office --

22 A Office of the Secretary of Defense.

23 Q DOD, okay. And did they raise concerns about possible
24 violations of the Impoundment Act?

25 A Yes.

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1 Q So you said the next step was going to be a deputies meeting.
2 Was there a deputies meeting?

3 A There was.

4 Q When did that take place?

5 A I don't recall exactly.

6 Q Was it on or about July 26th, a few days within the PCC?

7 A About a week later.

8 Q Okay. And did you participate in that meeting?

9 A Yes.

10 Q Can you tell us what happened at that meeting?

11 A Deputies endorsed that the principals meet and recommend to
12 the President the prompt disbursement of the funding, among other
13 things, but the only one that's within the scope of this meeting.

14 Q Do you know whether the NSC ever issued a statement of
15 conclusions after the deputies meeting?

16 A We did.

17 Q And the agreed next steps were to recommend a principals
18 meeting?

19 A Yes.

20 Q Okay. Do you know whether the principals meeting ever took
21 place?

22 A It did not.

23 Q Why not?

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1 [1:05 p.m.]

2 MR. MORRISON: Ambassador Bolton and I discussed launching a
3 Principals Committee meeting, and as a result of that discussion, we
4 opted not to do it.

5 BY MR. NOBLE:

6 Q Going back to the deputies meeting for a minute, was there
7 any reason provided at that time that meeting for the hold?

8 A I believe at that meeting OMB represented that -- and the
9 Chief of Staff's Office was present -- that the President was concerned
10 about corruption in Ukraine, and he wanted to make sure that Ukraine
11 was doing enough to manage that corruption.

12 Q Okay. Who were the representatives from OMB and the Chief
13 of Staff's Office at the deputies meeting?

14 A To the best of my recollection, OMB was represented by Mike
15 Duffey and the Chief of Staff was represented by Rob Blair.

16 Q Was there a separate PCC meeting on July 31st?

17 A Yes.

18 Q There was. Did you attend that PCC meeting?

19 A I chaired it.

20 Q Okay. What was the topic of the meeting?

21 A It's beyond the scope of this inquiry.

22 Q Okay. Did the issue of the freeze on Ukraine assistance come
23 up at that PCC meeting?

24 A Yes.

25 Q Okay. Can you tell us what was discussed about the

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1 assistance?

2 A What was the status in getting it released.

3 Q Okay. And did anybody provide a report at that meeting?

4 A I did.

5 Q What did you report?

6 A It had not yet been released.

7 Q Okay. Did you know why?

8 A At that point, we were still waiting for an opportunity for
9 principals to engage the President.

10 Q Okay. Why did you and Ambassador Bolton decide not to
11 convene the principals meeting?

12 MS. VAN GELDER: That's a deliberative process that we are not
13 going to -- someone else is going to have it to decide if he can answer
14 that. But it is true that, as a result of that, there was no meeting.

15 THE CHAIRMAN: You know, at this point, let me just state for the
16 record, we don't recognize that deliberative process privilege. But
17 we will add this to the list that we can discuss at a break.

18 MS. VAN GELDER: I appreciate that.

19 BY MR. NOBLE:

20 Q At some point, did the idea of drafting a Presidential
21 decision memorandum on the frozen Ukrainian assistance arise?

22 A Yes.

23 Q Whose idea was it to draft the memo?

24 A Ambassador Bolton.

25 Q Okay. Did he instruct you to draft the memo or have your

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1 staff draft the memo?

2 A Yes.

3 Q Okay. Was the memo drafted?

4 A Yes.

5 Q Who drafted it?

6 A Alexander Vindman was the principal author. I was the final
7 authority. It went through the normal NSC coordination process to
8 prepare such a document for the President.

9 Q And what was the recommendation in that memo?

10 A That he release the aid.

11 Q Okay. Did Mr. Vindman, or Colonel Vindman make that
12 recommendation?

13 A It was, at that point, the deputies-endorsed position.

14 Q Okay. And you agreed with that position?

15 A Yes.

16 Q Okay. Do you know whether the memo was ever provided to the
17 President?

18 A I do.

19 Q When was it -- was it provided?

20 A No.

21 Q The memo was never provided to the President?

22 A No.

23 Q Okay. Why not?

24 A Because Ambassador Bolton decided not to.

25 Q Why didn't Ambassador Bolton want to provide the memo to the

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1 President?

2 A I think I'll let Ambassador Bolton speak to that point when
3 he appears before you.

4 MS. VAN GELDER: We can put this on the list.

5 MR. NOBLE: Okay. We'll add that to the list too, I guess.

6 THE CHAIRMAN: Can I just ask for clarification, but you do know
7 the reason why Ambassador Bolton made the decision not to provide that
8 memo to the President?

9 MR. MORRISON: I do, Chairman.

10 THE CHAIRMAN: Okay. Thank you.

11 BY MR. NOBLE:

12 Q Do you recall the date that the memo was finalized?

13 A I mean -- so I would say it was final and ready for the
14 President on 15 August when Ambassador Bolton initialed it.

15 Q Okay. Yeah, that was my question, so thank you. And are
16 you aware that Ambassador Bolton had a meeting with the President the
17 next day at Bedminster?

18 A Yes.

19 Q Okay. What was that meeting about?

20 A Outside the scope of this discussion.

21 Q It was about Afghanistan?

22 A It's been reported in the press.

23 Q Okay. Do you know who else attended that meeting, what other
24 principals attended that meeting?

25 A I do.

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1 Q Can you tell us?

2 A So I know some of them. I'm not going to -- I did not brush
3 up on this detail in preparing to appear today. But I believe General
4 Dunford participated by secure video teleconference. I believe Acting
5 Secretary Shanahan participated. I believe that -- I know the National
6 Security Advisor did. I believe the White House Chief of Staff did.
7 I believe the Secretary of State did.

8 Q And do you know whether or not they discussed the ongoing
9 hold on the Ukrainian assistance?

10 A I do.

11 Q Do you know what they discussed? Was it a discussion amongst
12 themselves, or was it a discussion with the President? Was it a
13 discussion amongst the principals themselves, or was it discussion
14 between the principals and the President?

15 [Discussion off the record.]

16 MR. MORRISON: So, I'm sorry. I --

17 MR. NOBLE: Okay. Hold on.

18 [Discussion off the record.]

19 BY MR. NOBLE:

20 Q Okay. I apologize. Yeah, so my question was, was there a
21 discussion amongst the principals about the Ukrainian assistance, not
22 involving the President? We'll just take it one step at a time. To
23 your knowledge.

24 A Yes.

25 Q Okay. And --

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1 A So let me step back, and I may, if I have the prerogative,
2 ask the court reporter -- because I want to make sure I heard your
3 preceding question correctly. Did you ask me am I aware of whether
4 or not they discussed Ukraine assistance with the President at that
5 time?

6 Q I may have phrased it that way, so let's just --

7 A That's the way I --

8 Q Yeah, let's just make the record clearer. So do you
9 know -- well, one step at a time. Do you know whether the principals
10 at Bedminster had a discussion about the Ukraine assistance?

11 MS. VAN GELDER: Among themselves.

12 MR. NOBLE: What's that?

13 MS. VAN GELDER: Among themselves.

14 BY MR. NOBLE:

15 Q Among themselves, yes.

16 A I do know that they had a discussion among themselves.

17 Q Okay. And do you know whether they raised that issue with
18 the President at Bedminster?

19 A I do know that they did not.

20 Q Okay. Do you know why not?

21 A Because the other subject matter of that meeting consumed
22 all the time.

23 Q Okay. Do you know whether it was Ambassador Bolton's
24 intention to raise the issue, given that he had just signed off on the
25 memo --

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1 A He was --

2 Q -- at the meeting?

3 A He wanted to be prepared to raise it if the opportunity to
4 presented itself.

5 Q Okay. And so, at that meeting, it ultimately -- that issue
6 did not come up on the 16th?

7 A Not with the President.

8 Q Not with the President. And then, at some point thereafter,
9 is that when Ambassador Bolton decided not to raise the issue or to
10 give the memo to the President?

11 A He decided not to raise it on the 16th because of the other
12 subject matter.

13 Q Okay.

14 A And we then proceeded to look for another opportunity to
15 raise it.

16 Q Okay. And that's when you -- you said you and Ambassador
17 Bolton had a conversation, and the decision was made not to give the
18 memo to the President.

19 A No. I said Ambassador Bolton and I discussed whether or not
20 to pursue a Principals Committee meeting. And I said I was aware of
21 why Ambassador Bolton opted not to provide the PDM to the President.

22 Q Okay.

23 Did you take any steps, following Ambassador Bolton's signing off
24 on the memo, to try to get this issue -- to tee it up for the President
25 again?

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1 A Yes.

2 Q What steps did you take?

3 A I proceeded to coordinate among my interagency peers to see
4 if we could establish when the right group of principals would be in
5 the same place at the same time that we could get them in with the
6 President.

7 Q Okay. And were you ever able to coordinate the principals
8 in that way to tee up a meeting?

9 A No.

10 Q Okay. Was it just a scheduling issue, or was there some
11 other issue?

12 A Just a scheduling issue.

13 Q Okay.

14 Do you know whether Ambassador Bolton ever had a one-on-one
15 conversation with the President about the frozen assistance after
16 August 15th?

17 A Yes.

18 Q Did he?

19 A Yes.

20 Q What about Secretary of State Pompeo? Do you know whether
21 he ever had a one-on-one meeting or another meeting with the President
22 about the Ukrainian assistance after August 15th?

23 A Based on open-source reporting and, I believe, Ambassador
24 Taylor's statement, I understand that Secretary Pompeo had a meeting
25 with the President wherein he took Ambassador Taylor's first-person

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1 cable to discuss the Ukraine topic with the President.

2 Q Okay. Do you know whether or not that in fact occurred?

3 A No.

4 Q Yeah. So Ambassador Taylor's memo, I believe, was
5 transmitted --

6 A The first-person cable.

7 Q The first-person cable -- did I say "memo"?

8 A Yes, sir.

9 Q I apologize. The cable, the first-person cable, was
10 transmitted on August 29th. Is that right?

11 A That sounds correct.

12 Q Okay. And did you get a copy of it at that time?

13 A I did.

14 Q Okay. Were you on the distribution?

15 A No.

16 Q Okay. What did you do when you received a copy of the cable?

17 A I reviewed it, and I shared it with Ambassador Bolton.

18 Q Okay. And then you said that it's been publicly reported
19 that Secretary of State Pompeo -- or Ambassador Taylor said that
20 Secretary of State Pompeo took the memo to the White House, to a meeting
21 at the White House.

22 A Yes.

23 Q Do you know when that meeting occurred?

24 A No.

25 Q Okay. Do you know anything about that meeting, like what

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1 happened at that meeting?

2 A No. I'm not aware that the meeting occurred. I only have
3 what Ambassador Taylor said.

4 Q Okay. So you don't have any independent, personal knowledge
5 that Pompeo brought the cable to the White House, met with the
6 President, and --

7 A I'm not trying to be cute. I know --

8 Q Yeah.

9 A -- Secretary Pompeo has, whenever he and the President are
10 in town at the same time, has a one-on-one lunch with the President.

11 Q Okay.

12 A Could it have come up in that occasion? Perhaps. I am not
13 aware that it did or which lunch he brought it up in, if ever.

14 Q Okay. So your only knowledge is just from what you read in
15 Ambassador Taylor's statement --

16 A Correct.

17 Q -- that that meeting occurred?

18 A Correct.

19 Q Okay.

20 So, sticking with that cable, the idea, the genesis of that cable
21 was Ambassador Taylor's conversation with Ambassador Bolton in Kyiv,
22 correct?

23 A That was the impetus for sending the cable.

24 Q The impetus. Did you participate in that conversation
25 between Ambassador Taylor and Ambassador Bolton --

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1 A No.

2 Q -- in Kyiv? Now, did you -- you helped prepare for
3 Ambassador Bolton's visit to Kyiv?

4 A Yes.

5 Q Okay. And, in doing so, did you speak with Ambassador Taylor
6 as part of that preparation?

7 A Yes.

8 Q Okay.

9 I want to go back to the text messages, if we could, and turn to
10 page 28. And if you go to August 27th at 7:34 a.m. -- these are text
11 messages between Bill Taylor and Kurt Volker. At 7:34, Bill Taylor
12 writes, "Bolton said he talked to you and Gordon briefly, nothing
13 specific. What should they talk about? Tim says Bolton wants to stay
14 out of politics."

15 I'm assuming "Tim" is a reference to you?

16 A I would assume.

17 Q Do you recall a conversation with Ambassador Taylor where
18 you conveyed that Ambassador Bolton wanted to stay out of politics?

19 A I don't recall a specific conversation, but that strikes me
20 as something I would have said, because I also explained to him I wanted
21 to stay out of politics.

22 Q And what did you mean by staying out of politics?

23 A We wanted to stay away from the Gordon channel.

24 Q Did you also want to stay away from the Burisma bucket of
25 issues, as you've referred to them?

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1 A Yes.

2 Q Okay. And I believe you testified earlier that you
3 perceived -- or you believe that if President Zelensky were to make
4 a public announcement about investigating the Burisma bucket of issues,
5 that that would have entangled him in U.S. domestic politics. Is that
6 right?

7 A I became concerned about that.

8 Q So was that kind of the same concern that you were conveying
9 to Ambassador Taylor that he is paraphrasing here?

10 A I don't recall precisely when I told Ambassador Taylor that
11 Ambassador Bolton wants to stay out of politics, but that strikes me
12 as a reasonable conclusion.

13 Q Okay.

14 And the Burisma bucket of issues, that was what Dr. Hill had warned
15 you about during your transition period. Is that right?

16 A Correct.

17 Q Okay. And it's fair to say also that the Burisma bucket of
18 issues were referenced in the President's July 25th call with President
19 Zelensky?

20 A It's more -- I mean, it references content from that call.
21 It's more -- the way I think about the Burisma bucket of issues is it's
22 Burisma, the Ukrainian firm, it's Hunter Biden, it's the election
23 server and CrowdStrike and those issues.

24 Q Yeah. And at least several of those things were raised by
25 President Trump in his call with President Zelensky on July 25th, right?

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1 A Yes.

2 Q Okay.

3 So, on August 28th, Politico published an article about the U.S.
4 freeze. Were you familiar with that article?

5 A I saw it when it came out and any number of people sent it
6 to me.

7 Q Okay. And I believe you testified earlier that, in Warsaw,
8 the Ukrainians seemed surprised about the announcement of the freeze?

9 A I don't know that I said they were surprised. I know they
10 were concerned about it.

11 Q They were concerned about it.

12 A Yes.

13 Q Okay.

14 Now, in preparation for the Warsaw bi-lat between Vice President
15 Pence and President Zelensky, I believe you said that, after it became
16 known that President Trump was not going to attend, you helped prep
17 the Vice President or helped his staff prep the Vice President for that
18 meeting?

19 A I made sure -- Ambassador Bolton conducted the briefing of
20 the Vice President. I helped to make sure that he had all of the latest.
21 And I made sure that one of Vice President Biden's policy staffers --

22 MS. VAN GELDER: Whoa. I think you're a little --

23 MR. MORRISON: What did I say?

24 MS. VAN GELDER: Biden.

25 MR. MORRISON: Oh, excuse me. I stayed up late watching the

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1 game.

2 I made sure that Vice President Pence's staff were prepared based
3 on what we had seen in our discussions, including with President
4 Zelensky in Ukraine.

5 BY MR. NOBLE:

6 Q Okay. And which staff member was that?

7 A Jennifer Williams.

8 Q Was Keith Kellogg involved in preparing the Vice President
9 for the bi-lat?

10 A I can only speculate that he was.

11 Q Okay.

12 In advance of the Warsaw meeting, do you know whether the Vice
13 President knew about the conversation that President Trump had had with
14 President Zelensky on July 25th?

15 A I believe he did.

16 Q Do you know whether he had been provided a copy of the MEMCON?

17 A I don't have firsthand knowledge.

18 Q Do you have secondhand knowledge of that?

19 A I have a -- I have a faint recollection that he had been
20 provided and had on his plane a copy of the MEMCON.

21 Q On the plane to Warsaw?

22 A On his aircraft, yes.

23 Q Okay. Do you know who provided the Vice President with the
24 MEMCON or would have provided the Vice President with the MEMCON?

25 A I mean, no. His staff would have contacted the NSC Executive

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1 Secretary and asked for a copy for the Vice President.

2 Q I mean, is it typical that if the Vice President is meeting
3 with a foreign head of state that MEMCONS of recent conversations
4 between the President and that head of state would be included in a
5 briefing book for the Vice President?

6 A Yes.

7 Q Okay. Did you ever get a copy of the briefing package that
8 the Vice President received for the Warsaw bi-lat?

9 A No, but I helped Jennifer prepare parts of it.

10 Q Okay. Do you know whether she included the MEMCON from the
11 July 25th call?

12 A No. As I said, I believe -- I have a faint recollection that
13 she told me the Vice President reviewed it on the plane. And it's
14 usually the case that when there's a head-of-state phone call, the Vice
15 President would receive a copy of the MEMCON as soon as it's available
16 the next day in his PDB.

17 Q Okay. What's "PDB," for the record?

18 A The President's daily briefing from the Intelligence
19 Community.

20 Q Okay.

21 So I want to ask you some more questions about the conversation
22 that Ambassador Sondland reported to you that he had with Andrey Yermak
23 on the sidelines of the Warsaw bi-lat. And I just want to find that
24 in Ambassador Taylor's statement. Page 10.

25 So -- and you testified about this earlier in questioning by my

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1 colleague. So can you just tell us, when did this conversation between
2 Ambassador Sondland and Mr. Yermak occur? How long after the bi-lat
3 between the Vice President -- our Vice President and President
4 Zelensky?

5 A About 5 minutes.

6 Q Oh, it was like, it happened right afterward?

7 A So the Vice President and his delegation left the
8 facility -- this is on the second floor, mezzanine level of the Warsaw
9 Marriott. And it was in one of the meetings rooms. And so the Vice
10 President and his delegation departed, President Zelensky and his
11 delegation departed, and some of the lesser people stayed behind.

12 Q There are no lesser people. There are other people left
13 behind, right?

14 A Mere mortals.

15 Q Mere mortals. So who else was present? Who else remained?

16 A Secretary Perry and a number of his aides. And I only can
17 clearly recall Mr. Yermak and Ambassador Sondland and myself.

18 Q Did you see Ambassador Sondland speaking to Andrey Yermak?

19 A I did.

20 Q Was anybody else speaking with them at the same time?

21 A Not that I can recall.

22 Q Okay. Do you know whether Ambassador Sondland ever told
23 anyone else about the conversation that he'd just had with Andrey
24 Yermak?

25 A I do not know.

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1 Q So, when he reported it to you, it was just you and Ambassador
2 Sondland speaking?

3 A I mean, they broke their conversation, and Gordon literally
4 walked over to me, said, this is what we talked about.

5 Q Okay. And during that conversation, as Ambassador Sondland
6 recounted it, he told Mr. Yermak that the security --

7 MS. VAN GELDER: Ambassador Taylor?

8 BY MR. NOBLE:

9 Q No, Ambassador Sondland told Mr. Yermak that the security
10 assistance money would not come until President Zelensky committed to
11 pursue the Burisma investigation. That's what Ambassador Taylor
12 wrote, and you say that's correct.

13 A No. I said I disagree. I recall Ambassador Sondland
14 telling me that what he conveyed to the Ukrainian Presidential advisor,
15 Mr. Yermak, was that the prosecutor general would be sufficient to make
16 the statement to obtain release of the aid.

17 Q Okay. And I believe you testified that that caused you
18 concern.

19 A Yes.

20 Q Is that right? Why did it cause you concern?

21 A Because, at that point, I saw an obstacle to my goal, as
22 directed to me, to get the process to support the President making the
23 decision to release the security assistance -- security-sector
24 assistance.

25 Q Okay. Why did you think that Ambassador Sondland's proposal

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1 would be an impediment to you achieving your policy goal?

2 A I mean, it was the first time something like this had been
3 injected as a condition on the release of the assistance. So it was
4 not something I had been tracking as part of our process for calculating
5 how do we get the President the information he needs to make the decision
6 that it was within American interest to release the assistance.

7 Q Okay.

8 So Ambassador Taylor, on the top of page 11, says that this was
9 also the first time that he had heard that the security assistance and
10 not just the White House meeting was conditioned on the investigation.

11 So are you saying that this was the first time that you'd ever
12 heard anyone say that the release the security assistance was going
13 to be conditioned on the Burisma bucket investigations?

14 A Yes.

15 Q Okay. And did you report what Ambassador Sondland told you
16 to anyone?

17 A Yes.

18 Q Who did you report it to?

19 A Well, beyond Ambassador Taylor, I reported it to Ambassador
20 Bolton. And when I got back to the States, I reported it to NSC
21 Legal -- John Eisenberg, Michael Ellis.

22 Q Okay. And when did you report it to Ambassador Bolton?

23 A About an hour or two after the debriefing by Ambassador
24 Sondland occurred.

25 Q Okay. And what was his reaction?

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1 A His reaction was: Stay out of it, brief the lawyers.

2 Q Okay. Did you understand what he meant by "stay out of it"?

3 A Fairly plain -- plain meaning.

4 Q What was --

5 A Stay out of it.

6 Q He's your superior, right? And he's saying, stay out of it.

7 So what do you take that to be, in terms of the instruction to you as
8 to how to handle this issue?

9 A Continue not to be engaged in this parallel track.

10 Q Okay. And did you think that was appropriate advice?

11 A Yes.

12 Q Why?

13 A Well, it comported with my instincts.

14 Q And what were your instincts?

15 A To stay out of this parallel track.

16 Q Okay. Fair enough.

17 And I believe you testified earlier that Ambassador Bolton told
18 you to report it to the lawyers to make sure the lawyers were tracking
19 it, correct?

20 A Correct.

21 Q But that just confirmed your own instinct that you should
22 report this to the lawyers. Is that right?

23 A Correct.

24 Q Okay. Why did you think the lawyers needed to be aware that
25 Ambassador Sondland was telling the Ukrainians that the release of the

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1 assistance was going to be conditioned on their announcement of the
2 Burisma-bucket-related investigations?

3 A Because we -- my role -- Ambassador Sondland doesn't work
4 for me. My role is to report it up to my chain of command, make sure
5 the President -- make sure NSC Legal -- the issue with Eisenberg and
6 Ellis is they're dual-hatted; they're also in the White House Counsel's
7 Office. So they are not just the NSC legal advisors; they are the
8 President's attorneys as White House counsel.

9 And we wanted to make sure that there was a record of what -- so
10 I will say I wanted to make sure, because I don't know precisely what
11 Ambassador Bolton wanted to make sure -- I wanted to make sure, in going
12 to the lawyers, that there was a record of what Ambassador Sondland
13 was doing, to protect the President.

14 Q And did you know whether Ambassador Sondland was working at
15 the direction of anyone else when he was conveying this message to the
16 Ukrainians?

17 A He did not -- no, I did not.

18 Q At that time. But, later on, I believe you -- Ambassador
19 Taylor recounts some conversations that Ambassador Sondland had with
20 the President concerning these investigations.

21 A I'm sorry. Please repeat that.

22 Q I'll -- maybe if we just go in order, it'll make more sense.

23 A Okay.

24 Q So let's fast-forward to the September 7th call. I believe
25 that's on page 12 of Ambassador Taylor's opening statement. So there,

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1 it's the third paragraph down. It says, 2 days later, on September
2 7th, Ambassador Taylor had a conversation with you in which you
3 described a phone conversation earlier that day between Ambassador
4 Sondland and President Trump.

5 And let me just stop you there. How did you know about this
6 conversation between Ambassador Sondland and President Trump?

7 A I believe because he called me not long after --

8 MS. VAN GELDER: He?

9 MR. MORRISON: He, Ambassador Sondland, called me not long after
10 to let me know of it.

11 BY MR. NOBLE:

12 Q Okay. And was this one of the calls that you were able to
13 confirm that Ambassador Sondland did have with President Trump?

14 A No.

15 Q You were not able to confirm it one way or the another?

16 A I don't know that I tried to. I think I had just other things
17 going on that morning.

18 Q Okay.

19 Ambassador Taylor says that you said that he -- you -- had a
20 sinking feeling after learning about this conversation from Ambassador
21 Sondland. According to you, President Trump told Ambassador Sondland
22 that he was not asking for a quid pro quo, but President Trump did insist
23 that President Zelensky go to a microphone and say he is opening
24 investigations of Biden and 2016 interference and that President
25 Zelensky should want to do this himself.

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1 Is that an accurate recitation of what you told Ambassador Taylor
2 on September 7th?

3 A Yes.

4 Q Okay. Do you recall anything else about the conversation
5 with Ambassador Taylor? Did you tell him anything else about what
6 Ambassador Sondland and President Trump had discussed?

7 A I mean, not to my knowledge. I believe what's related here
8 by Ambassador Taylor is correct.

9 Q Okay. Do you recall anything else about the conversation
10 that you had with Ambassador Sondland when he was telling you about
11 his conversation with the President?

12 A I'm sorry, I don't. If there's more, please ask; maybe it'll
13 jog my memory. But no.

14 Q No, I mean, I'm asking you what you recall. Was this --

15 A I think this is an accurate retelling of what my conversation
16 was like with Gordon as I related it to Ambassador Taylor.

17 Q How long was your conversation with Ambassador Sondland?

18 A Not very long.

19 Q So you just don't recall anything else that Ambassador
20 Sondland told you during that phone call?

21 A I do not.

22 THE CHAIRMAN: Can I -- if I could. And I apologize, I was
23 absent, I think, when you covered this the first time around.

24 MR. MORRISON: Sir.

25 THE CHAIRMAN: If I understand your testimony, in the

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1 conversation with Ambassador Sondland, you know, 5 minutes after he
2 talked with Mr. Yermak, Ambassador Sondland told you that he had
3 conveyed to Mr. Yermak that the military aid wouldn't be released until
4 the -- was it the Attorney General?

5 MR. MORRISON: The prosecutor general.

6 THE CHAIRMAN: -- prosecutor general announced these Burisma
7 bucket investigations. Is that right?

8 MR. MORRISON: Yes, sir.

9 THE CHAIRMAN: In a subsequent conversation with
10 Mr. Sondland that my colleague was asking about that you would later
11 discuss with Ambassador Taylor, did Ambassador Sondland represent that
12 it wasn't just the prosecutor general but it had to be President
13 Zelensky who committed to these investigations?

14 MR. MORRISON: Yes, sir. That had happened a couple days
15 earlier.

16 THE CHAIRMAN: So, at some point following the Warsaw
17 conversation you had with Ambassador Sondland, Ambassador Sondland
18 told you that the President had conveyed to him that it wasn't enough
19 for the prosecutor general to make this representation, that it had
20 to come from President Zelensky?

21 MR. MORRISON: No, sir. As I recall, I had, I think on September
22 1st and on September 2nd, conversations with Ambassador Taylor. On
23 September 1st, I related to Ambassador Taylor what Ambassador Sondland
24 related to me of his conversation with Mr. Yermak.

25 I believe that same day or early the next morning -- part of the

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1 difficulty in remembering this is my phone and email were set to eastern
2 time, and I was in Warsaw, and Ambassador Taylor was in Kyiv. So, in
3 terms of trying to recreate by email when I was setting up these calls,
4 it's a little challenging.

5 Ambassador Sondland had called after I'd spoken to Ambassador
6 Taylor to inform Ambassador Taylor that he screwed up -- he, Ambassador
7 Sondland, screwed up -- in telling that to Mr. Yermak, that it would
8 need to be coming from the President of Ukraine. And --

9 THE CHAIRMAN: And --

10 MR. MORRISON: -- Ambassador Taylor related that to me the next
11 day.

12 THE CHAIRMAN: Okay. So let me just break this down a bit. The
13 conversation about screwing up, that the statement had to come from
14 President Zelensky, not just the prosecutor general, how did you learn
15 about that? Did Ambassador Sondland tell you that?

16 MR. MORRISON: Ambassador Taylor told me that on Monday,
17 September 2nd.

18 THE CHAIRMAN: And he was relating to you what Ambassador
19 Sondland had told him?

20 MR. MORRISON: Yes.

21 THE CHAIRMAN: Okay. Let me yield back to Mr. Noble.

22 Oh. And did Ambassador Taylor tell you where Ambassador Sondland
23 had learned that the statement had to come from President Zelensky,
24 not just the prosecutor general?

25 MR. MORRISON: He did not.

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1 THE CHAIRMAN: Okay. And did Ambassador Sondland ever convey to
2 you why he felt that he had spoken mistakenly in thinking that the
3 prosecutor general's statement would be enough?

4 MR. MORRISON: He did not.

5 THE CHAIRMAN: Okay.

6 BY MR. NOBLE:

7 Q For clarity -- hopefully we can find some clarity -- I
8 believe you testified you had two separate conversations with
9 Ambassador Sondland after September 1st. Is that right?

10 A That sounds correct. Yes.

11 Q So one we know from Ambassador Taylor's statement that it
12 occurred on September 7th. Do you know the date of the other one, the
13 other conversation that you had with Ambassador Sondland? Was it
14 before or after September 7th?

15 A So I talked to Ambassador Sondland on September 1st.

16 Q Uh-huh.

17 A And then I talked again to Ambassador Sondland on September
18 7th.

19 Q Okay. So it was just the in-person meeting in Warsaw and
20 then the telephone conversation on September 7th. Those are the two
21 conversations that you've been referring to?

22 A Yes.

23 Q Okay. Just want to make sure we're not --

24 A For Ambassador Sondland.

25 Q Yeah. Were there any others?

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1 A With Ambassador Sondland?

2 Q With Ambassador Sondland in this timeframe.

3 A September?

4 Q Yeah, like, after September 1st, after Warsaw.

5 A None for which I have records. That's not to say that he
6 didn't -- I had made the mistake of giving Ambassador Sondland my work
7 cell phone number. So, again, sometimes these conversations would
8 occur and they weren't formally scheduled so they weren't on my calendar
9 so I can't reproduce for you that they occurred.

10 MR. NOBLE: I think the chairman has a followup.

11 THE CHAIRMAN: Yeah. Sorry.

12 So you had one in-person discussion with Ambassador Sondland, and
13 then you had a phone call with him several days later.

14 MR. MORRISON: Yes.

15 THE CHAIRMAN: And what did Ambassador Sondland tell you in the
16 phone call?

17 MR. MORRISON: In the phone call, he told me that he had just
18 gotten off the phone -- the September 7th phone call -- he told me he
19 had just gotten off the phone with the President.

20 I remember this because he actually made the comment that it was
21 easier for him to get a hold of the President than to get a hold of
22 me, which led me to respond, "Well, the President doesn't work for
23 Ambassador Bolton; I do," to which Ambassador Sondland responded, "Does
24 Ambassador Bolton know that?" But that's why I have a vivid
25 recollection of this.

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1 And he wanted to tell me what he had discussed with the President.

2 THE CHAIRMAN: And what did he tell you?

3 MR. MORRISON: He told me, as is related here in Ambassador
4 Taylor's statement, that there was no quid pro quo, but President
5 Zelensky must announce the opening of the investigations and he should
6 want to do it.

7 THE CHAIRMAN: Okay. I think that clarifies things then.

8 So, in Warsaw, Ambassador Sondland tells you that he's conveyed
9 to Yermak the prosecutor general has to make these statements. He
10 later conveys to you after talking with the President several days later
11 that the requirement is actually that Zelensky has to commit to these
12 investigations.

13 MR. MORRISON: Yes. And I had already heard that from Ambassador
14 Taylor.

15 THE CHAIRMAN: Thank you.

16 And that's the end of our time. Unless you need a break, we'll --

17 MR. MORRISON: I'm fine, sir.

18 THE CHAIRMAN: Okay. The time is with the minority for
19 45 minutes.

20 BY MR. CASTOR:

21 Q You said when you first heard the name "Burisma" you went
22 and googled it?

23 A I did.

24 Q Were there any other -- did you google "CrowdStrike"?

25 A I did not.

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1 Q Did you know anything about CrowdStrike at that point?

2 A What I recall Dr. Hill discussing with me was not CrowdStrike
3 but the 2016 server. And I did not know what that meant.

4 Q Did you google that topic?

5 A No. I found enough to understand the general idea of what
6 she was talking about when I googled "Burisma."

7 Q Okay. Was there anything else that you looked into? I
8 asked you at the end of the last round whether you were aware of this
9 black ledger issue relating to Paul Manafort, and you said you were
10 not.

11 A I was not.

12 Q Okay. Were there any other issues that you looked into?

13 A Not at the time that I googled "Burisma."

14 Q Okay. Subsequent to that?

15 A Subsequent to it, you know, I looked more into understanding
16 what -- trying to understand what the CrowdStrike issue was, trying
17 to understand what the 2016 server was. Obviously, I became more
18 interested in what these things were when I knew the President raised
19 them.

20 Q Did you ever look into any of the issues relating to the
21 prosecutor general, Lutsenko?

22 A No.

23 Q Okay. Did you ever look into any of the news accounts or
24 tweets that related to Ambassador Yovanovitch before her recall?

25 A No.

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1 Q Were you aware of the issues preceding her recall?

2 A No. I was aware she was recalled; I was not aware of why.

3 Q Okay. And did you have any discussions about those topic
4 areas with Colonel Vindman?

5 A I think I had conversations with Colonel Vindman and
6 Mr. Erath about, why is Bill Taylor not the actual U.S. Ambassador?
7 Why is he the CDA, the Charge d'Affaires? And that's -- they both
8 responded, essentially, "Because Ambassador Yovanovitch had been
9 recalled early."

10 Q Okay. And so that was the first you learned of it?

11 A Yes.

12 Q Did they relate anything else to you about that situation?

13 A Not that I recall.

14 Q Did Colonel Vindman ever tell you that he had, you know,
15 looked into any of these issues?

16 A No, not that I recall.

17 Q Or that he had authoritative sources on these issues?

18 A No.

19 Q Okay.

20 During your transition, Dr. Hill brought up issues of judgment
21 relating to Colonel Vindman?

22 A Yes.

23 Q Can you elaborate on that at all?

24 A First, I just want to be clear that Alex is a patriot who
25 has literally bled for this country.

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1 But, in my experience in government, not everybody is cut out for
2 the policy process. You often find with -- and these people are on
3 the NSC. You often find with CIA analysts who get detailed that they
4 can't get out of the analytical role into developing policy. State
5 Department personnel who get promoted based on their proficiency in
6 writing reporting cables can't get out of that role into making policy.

7 So not everybody is cut out for the policymaking process, and
8 Alex, I think, was in that category.

9 Q Did you ever have any discussions with him when you took over
10 the job about your expectations for him reporting to you?

11 A No. At that point, I had the concerns raised by Dr. Hill
12 and Mr. Erath. I also had been advised by other personnel within the
13 directorate of their concerns about Alex. And I set about to keep an
14 eye on Alex and form my own conclusions.

15 Q Okay. And what were your conclusions when you formed them?

16 A That he did not always exercise the best judgment in terms
17 of the policymaking process and -- the policy process.

18 Q Did he have an understanding that you were in his chain of
19 command?

20 A Yes.

21 Q Were there any instances where he went outside of his chain
22 of command and didn't keep you looped in?

23 A Well, we've talked about one.

24 Q Can you -- was this a persistent problem?

25 [Discussion off the record.]

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1 MR. MORRISON: Yeah, I mean, I think I'm -- as counsel advised,
2 I think I'm going to limit it to the one instance that was within the
3 scope of the inquiry today.

4 MR. CASTOR: Okay. Was that unusual, though?

5 MS. VAN GELDER: That answers the question. With all due
6 respect, Mr. Castor, if we're only dealing with what happened in
7 Ukraine, saying "was that the only time" answers a question as to
8 whether there were other times, which goes down that slippery slope.

9 BY MR. CASTOR:

10 Q Did you see Colonel Vindman's opening statement before the
11 committees?

12 A Yes.

13 Q In his opening statement, he talks about his -- how he views
14 the chain of command as being very important. Did you see that?

15 A I saw his statement.

16 Q Okay. And the one instance that we know of related to
17 Ukraine, he did not follow the chain of command. And so I guess the
18 question is, was that consistent with your experience with him or was
19 that unusual?

20 A As I mentioned, Dr. Hill's management and leadership style
21 is different than mine. In my opinion, some bad habits had been created
22 when she was in charge that --

23 Q Did you try to correct them?

24 A -- I set about trying to correct.

25 Q Okay. What were those bad habits?

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1 A I did not find that there was the habit of keeping the senior
2 director in charge of things -- keeping the senior director informed
3 about things that the senior director should've been informed about.

4 Q Okay. And did that prove problematic at any point?

5 A Yes.

6 Q Can you describe?

7 MS. VAN GELDER: It is something that we're going to say that
8 going into it would go down the idea of whether or not there was any
9 rumor or anything about who he talked to that might lead to his
10 speculation of who he thought the whistleblower was, which we are not
11 going to answer because it's outside the scope.

12 MR. SWALWELL: Mr. Chairman, just for the record, did the court
13 reporter get that?

14 THE REPORTER: Yes.

15 MS. VAN GELDER: I'm from Boston. They get everything.

16 MR. SWALWELL: Thanks.

17 BY MR. CASTOR:

18 Q Did you have any concerns with his trustworthiness?

19 A No.

20 Q I believe you did mention there -- was there any instances
21 where he tried to access information outside of his lane?

22 A Not that I could confirm firsthand.

23 Q Okay. But you heard that secondhand?

24 A Yes.

25 Q And can you tell us anything about that, or does that fall

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1 under the same objection?

2 A Yes.

3 MS. VAN GELDER: We're making the same objection.

4 BY MR. CASTOR:

5 Q The issues of judgment that Dr. Hill related to you, did they
6 become -- were you able to correct those issues of judgment after you
7 had a chance to work with him as his direct report?

8 A It was a work in progress.

9 Q Uh-huh. And did that work in progress at any point get
10 stalled?

11 A Well, I'm resigning from the NSC. So that'll stall it.

12 Q At what point did you determine that you wanted to -- I think
13 you said it was mid-August when you determined that these events might
14 lead to congressional hearings or something of that sort?

15 A I don't know that I said they would lead to congressional
16 hearings. I think I said it just became clear to me, as I considered
17 these matters, that this could wind up becoming, you know, a problem
18 that I wanted to, as best I could, shield my people from so they could
19 continue to be focused on the mission, and that I felt early in, with
20 respect to Alex, because I was trying to help mentor Alex, that I thought
21 it best for me to personally handle the security assistance
22 issue -- security-sector assistance.

23 Q Okay. Were there other elements of the Ukraine portfolio
24 that you also handled separately from him?

25 A One.

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1 Q What was that?

2 A I can't speak to it here.

3 Q Okay.

4 MR. CASTOR: I want to make sure that our Members get a chance
5 to ask questions.

6 MR. ZELDIN: When you say you can't speak to it, is it because
7 of a classification issue?

8 MR. MORRISON: It's a classification issue, and it's beyond the
9 scope of this inquiry. So probably more the beyond the scope.

10 MR. MEADOWS: Mr. Morrison, I want to get personal for just a few
11 seconds and express two things.

12 One is, when we knew that we were going to have this deposition
13 this morning starting at 8 o'clock, I think it was -- the question was,
14 well, why so early and why 8 o'clock? And the reason that was given
15 was really because you wanted to make sure you were available for your
16 family, and I just want to applaud that.

17 MR. MORRISON: Thank you, Congressman.

18 MR. MEADOWS: It just -- in this city, so many times, family gets
19 put on the back burner. And I just want to -- I just want to say thank
20 you.

21 MR. MORRISON: Thank you, Congressman.

22 MR. MEADOWS: Secondly, I think it's a shame that you're going
23 to be leaving the NSC. You've been direct with your answers today.
24 You've been precise with your answers. And I candidly wish you all
25 the best in your future career, but it is the Federal Government's loss

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1 that you're leaving.

2 And so, on those two personal notes, I want to just circle back
3 a little bit on one area. It's my understanding that you were actually
4 in the meeting with the Vice President and President Zelensky in Warsaw.
5 Is that correct?

6 MR. MORRISON: Yes, sir, it is.

7 MR. MEADOWS: And so, in those conversations -- and I know they've
8 been covered; I just want to make sure I'm clear. Because we've got
9 Ambassador Sondland and we've got the Vice President actually having
10 conversations in Warsaw. Is that correct?

11 MR. MORRISON: Yes, sir.

12 MR. MEADOWS: And as you were in those meetings with the Vice
13 President and President Zelensky, did investigating the Bidens come
14 up at all?

15 MR. MORRISON: In the bi-lat between Vice President Pence and
16 President Zelensky?

17 MR. MEADOWS: Yeah.

18 MR. MORRISON: No, it did not.

19 MR. MEADOWS: Did President Zelensky at that point know that the
20 aid was being withheld?

21 MR. MORRISON: He did, sir.

22 MR. MEADOWS: And so there was no indication from the Vice
23 President at all that the aid was being held up, waiting for an
24 investigation into the Bidens or Burisma or -- he didn't bring that
25 up at all?

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1 MR. MORRISON: Not at all, sir.

2 MR. MEADOWS: And you're confident of that?

3 MR. MORRISON: One hundred percent, sir.

4 MR. MEADOWS: Because I would think, as, you know, we're hearing
5 a whole lot about what Ambassador Sondland said and may have said and
6 may have heard and directions that may have happened, and yet in your
7 briefing with the Vice President, in your -- go ahead.

8 MR. MORRISON: Sir, I want to let you finish your question, but
9 I just -- I hope I was clear. I did not pre-brief the Vice President.

10 MR. MEADOWS: Okay. So you actually helped their staff
11 pre-brief -- did you prepare their staff?

12 MR. MORRISON: I prepared their staff, and I assisted them in
13 preparing their briefing materials for the Vice President.

14 MR. MEADOWS: And that gets back to the other point about you
15 being very precise in all of this. You were able to correct me on
16 misspeaking, and I appreciate the precision.

17 So, in that, with that same degree of precision, do you think that
18 there is any way that President Zelensky left the meeting with the Vice
19 President with an understanding from the Vice President that the aid
20 was somehow conditioned upon an investigation into Burisma or the
21 Bidens at all?

22 MR. MORRISON: No, sir.

23 MR. MEADOWS: And you're 100 percent confident of that?

24 MR. MORRISON: One hundred percent, sir.

25 MR. MEADOWS: With that, again, I just want to say thank you, and

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1 I'll yield to another Member.

2 MR. MORRISON: Thank you, sir.

3 MR. MEADOWS: Mr. Morrison, can I ask one followup question that
4 my colleague -- so did the pause of aid or the hold on aid come up during
5 the discussion between the Vice President and President Zelensky?

6 MR. MORRISON: It did, sir.

7 MR. MEADOWS: And so it actually came up; they knew it was on a
8 hold. And yet there was not a condition placed on that from the Vice
9 President's point of view in that meeting that you witnessed
10 personally?

11 MR. MORRISON: Correct, sir.

12 MR. MEADOWS: Okay. I'll yield back.

13 BY MR. CASTOR:

14 Q Colonel Vindman's tenure at the NSC, he's on a 1-year term,
15 followed by a second 1-year term? Are you aware?

16 A To be honest, I don't know. I think he might have been on
17 2-year orders originally.

18 Q Okay. Was there any discussion about maybe having him move
19 on to a different part of government or return to the Army?

20 A Um --

21 Q If it wasn't a fit?

22 A So, originally, Alex was not brought in to handle Ukraine.
23 He was brought in to handle Russia. This precedes me. But there were
24 other staffing -- I'll call them "snafus" that wound up leading to
25 excess coverage on Russia, below the required coverage on Ukraine. And

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1 so Alex was asked to handle the Ukraine/Belarus/Moldova portfolio.

2 Q Were there any trips to these countries in the last -- since
3 July 25th that Colonel Vindman was scheduled to travel on?

4 A No.

5 Q Were there any trips to these countries?

6 A Yes.

7 Q And was he excluded from travel for any reason?

8 A He was not excluded. He just was not included.

9 Q Okay. Did he ask to be included?

10 A He did.

11 Q And what was the reason given that he was not included?

12 A I did not think his presence was required. We had an
13 aircraft for Ambassador Bolton that we had from the G-7 to Ukraine,
14 Belarus, Moldova, to Warsaw. And, in my estimation, it was not worth
15 the seat on the plane and the hotel expenses -- and, frankly, there
16 were no hotel rooms available in Biarritz -- at the G-7 to bring him.
17 I did not think it was in the taxpayers' interest to pay for him to
18 come over separately on commercial air when, by, you know, good
19 preparation, we could make sure that Ambassador Bolton had the material
20 he needed for successful visits.

21 Q Okay. Did Colonel Vindman give you any feedback about that
22 decision?

23 A Yes.

24 Q And what form did the feedback take?

25 A He personally appealed to me.

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1 Q Okay. Did he send you an email?

2 A I don't recall an email. I recall an in-person
3 conversation.

4 Q Okay. And did the conversation get heated?

5 A No.

6 Q And did you articulate the reasons to him?

7 A Yes.

8 Q And did he accept them?

9 A I don't know if he accepted them, but he didn't have a choice.

10 Q Okay. And did he ever express to you that he felt cut out
11 of, you know, areas that were, you know, within his policymaking?

12 A Yes.

13 Q And what were those concerns that he related to you?

14 A He was concerned that, by not being included in certain
15 discussions, the trip, he would be seen -- he would be less effective
16 because he would be seen by the interagency as not being relevant.

17 Q And did you think that was the case?

18 A I thought the reasons I had for not including him outweighed
19 his concerns.

20 Q Okay.

21 MR. CASTOR: Yes, Mr. Jordan.

22 MR. JORDAN: Thank you, Steve.

23 Mr. Morrison, did he make an appointment? Did he walk into your
24 office? Did you go see him?

25 MR. MORRISON: I think he walked into my office. He said what

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1 he wanted to talk about. I said I was busy. I asked him to make an
2 appointment. And I made sure John Erath was present when we had that
3 appointment.

4 MR. JORDAN: Did he walk into your office on other occasions and
5 express some displeasure at decisions you had made regarding him?

6 MR. MORRISON: Yes.

7 MR. JORDAN: So this was common or happened several times? How
8 would you describe it?

9 MR. MORRISON: So I had an open door, unless I was busy, and so
10 it was not uncommon for my team to walk in. Depending upon the issue,
11 I would tell them to come back because for whatever reason I wanted
12 to have them come back --

13 MR. JORDAN: But you didn't have a policy -- so people could walk
14 in --

15 MR. MORRISON: Yes.

16 MR. JORDAN: -- and talk to you about concerns, part of your team.
17 If time permitted, you'd deal with the concerns at that time, or would
18 you always then -- or is that not the case? Would you always say, no,
19 make an appointment?

20 MR. MORRISON: Well, in the matter of Alex and the trip, for
21 example, or the question about being excluded, I've been around long
22 enough to know, on potential personnel actions, you want a witness.

23 MR. JORDAN: Okay.

24 MR. MORRISON: So I made sure he came back when I had a witness.

25 MR. JORDAN: Did you do that with other members of your team?

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1 MR. MORRISON: I did not have complaints from other members of
2 my team. So, sir, the answer is no.

3 MR. JORDAN: So, I mean -- and I, like you, Mr. Morrison, I
4 appreciate the service Colonel Vindman has given to our country and
5 the sacrifice he has made. But I think in the last -- or since you've
6 been here today, you've talked about Colonel Vindman. There was issues
7 of judgment, that he operated outside his lane. He didn't adhere to
8 the chain of command. Was not included, specifically excluded -- I
9 guess, to your use your language, was not included on certain trips.
10 And there was an area of Ukraine that you kept him restricted from being
11 a part of, and you said you couldn't get into that.

12 Did Mr. Vindman -- did he talk too much?

13 MR. MORRISON: I had concerns that he did not exercise
14 appropriate judgment as to whom he would say what.

15 MR. JORDAN: Okay.

16 Steve?

17 MR. CASTOR: Mr. Roy?

18 MR. PERRY: Can I --

19 MR. CASTOR: Mr. Perry. I'm sorry.

20 MR. PERRY: Sticking with Colonel Vindman, I just have an
21 affinity for him because I, too, served in uniform and I understand
22 his circumstances. I think maybe as a person that's interested in
23 following the chain of command, et cetera -- and those standards are
24 very important to every single one of us. They're inbred into us.

25 Do you think that he -- I don't know how to put -- maybe he was

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1 disappointed in the change of how his autonomy -- or maybe his own
2 perceived autonomy under Fiona Hill, when you came in, do you think
3 that that was a point of friction? Did you sense that at some point?
4 Or do you think he just understood intuitively that there was a new
5 sheriff in town, so to speak? Or --

6 MR. MORRISON: Congressman, I don't know that I can speak to his
7 reaction being based on a change in management or if it was merely a
8 result of him chafing in terms of how I wanted to use, you know, the
9 resource that he was.

10 MR. PERRY: Okay. Fair enough. All right. Thanks.

11 MR. CASTOR: Mr. Roy?

12 MR. ROY: All I was going to do is take 30 seconds to underscore
13 what Congressman Meadows said about appreciating your service and
14 appreciating your being here. And, you know, we overlapped in the
15 Senate when I was with John Cornyn and you were with Senator Kyl.

16 MR. MORRISON: Yes, sir.

17 MR. ROY: And that's been over a decade ago since we've engaged,
18 but it's good to see you again here in the public service. And I wish
19 I could get to my kids' trick-or-treating tonight and see my 10-year-old
20 son playing James Bond, of all things, in a tuxedo and carrying a plastic
21 martini glass, running around, but I'm going to miss that. So --

22 THE CHAIRMAN: As long as your son is not dressed up as me, I'm
23 happy.

24 MR. ROY: There's a joke in there somewhere, but I'll let that
25 go, but I appreciate that, Mr. Chairman.

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1 The only thing I will say, something I did want to follow up on
2 just to make sure I heard correctly -- and I'm sorry, because we've
3 been in and out and, you know, putting all this together -- was with
4 respect to the conversation with Mr. Sondland about what the President
5 said to him on September 7th, that conversation, that you did not
6 confirm that that conversation took place. You either didn't try or
7 were unable to confirm that the conversation took place between the
8 President and Mr. Sondland?

9 MR. MORRISON: Yes, sir. I'm sorry, I don't remember if it was
10 September 7th or September 8th, but I recall that being an especially
11 busy day, which led to the jocular exchange. And I was not able to
12 confirm that he did actually speak with the President on that particular
13 occasion.

14 MR. ROY: Okay.

15 And then the only other thing is, with respect to the
16 characterization of the phone call from Mr. Sondland to yourself and
17 the description in Mr. Taylor's statement provided, when he
18 describes -- in the wording in his statement that it was his opening
19 investigations of Biden and 2016 election interference, did you hear
20 that jointly or separated? Or how would you characterize the nature
21 of that expression from Mr. Sondland about the nature of that
22 conversation?

23 MR. MORRISON: On September 7th or September 8th, whichever it
24 was?

25 MR. ROY: Uh-huh.

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1 MR. MORRISON: As I recall what Ambassador Sondland related to
2 me, the President had stated to Ambassador Sondland, "There is no quid
3 pro quo, but I want to hear it from President Zelensky. He should want
4 to say it."

5 MR. ROY: That's the specific language that you remember hearing?

6 MR. MORRISON: That's the specific language I remember hearing
7 from Ambassador Sondland.

8 MR. ROY: Okay. Thank you.

9 MR. MEADOWS: Mr. Morrison, so I want to come back. I've thought
10 of a couple of other -- it's not a "Columbo" moment. I'm not trying
11 to catch you in it, but I've thought of a couple other questions as
12 it relates to the Vice President meeting with President Zelensky in
13 Warsaw.

14 I don't have a full characterization of that meeting. Would you
15 characterize that conversation between President Zelensky and Vice
16 President Pence as a cordial conversation between two world leaders?

17 MR. MORRISON: Yes, sir, absolutely. It was -- as I recall, it
18 was really the one meeting that the Vice President was adamant he take.
19 He was very eager to speak to President Zelensky and do his best to
20 convey to President Zelensky his, the Vice President's, support and
21 the support of the United States for President Zelensky and the reform
22 agenda he was undertaking in Ukraine.

23 MR. MEADOWS: So the message was very clear from the Vice
24 President. He was insisting on meeting personally, not sending
25 someone else in his place to meet with the President to express -- would

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1 you characterize it as a new solidarity between the United States and
2 the Ukraine in terms of their new government's willingness to fight
3 corruption? Or what would it --

4 MR. MORRISON: Congressman, the way I'd prefer to frame it, if
5 it's okay, is: There were a number of bi-lats we had planned for
6 President Trump. Vice President Pence was adamant that he keep the
7 bi-lat with President Zelensky. And, as I understand it, it was
8 because he wanted to convey, as best he could, American support and
9 his personal support for what President Zelensky was trying to do.

10 MR. MEADOWS: All right. So it would not surprise you if the Vice
11 President of the United States came back and advised the President that
12 this relationship is one that he could trust based on the conversation
13 that you witnessed. Would that surprise you?

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1 [2:05 p.m.]

2 MR. MORRISON: Sir, I am aware that he did.

3 MR. MEADOWS: You're aware that he did?

4 MR. MORRISON: Yes.

5 MR. MEADOWS: So you're aware that the Vice President came back
6 and told the President that it was a good meeting and that we should
7 normalize any relationship with Ukraine?

8 MR. MORRISON: To the best of my knowledge, the Vice President
9 made that phone call to the President that same night.

10 MR. MEADOWS: Okay. I'll yield back.

11 MR. JORDAN: And, Mr. Morrison, the fact that the meeting went
12 well didn't surprise you, did it?

13 MR. MORRISON: No, sir.

14 MR. JORDAN: Because I think you'd said earlier today that you
15 felt that once President Zelensky got with either President Trump or
16 Vice President Pence, I think you said you thought they would hit it
17 off.

18 MR. MORRISON: Yes, sir.

19 MR. JORDAN: And that's exactly what happened.

20 MR. MORRISON: Yes, sir.

21 MR. JORDAN: And this happens on -- early in September.

22 MR. MORRISON: The Vice President's bi-lat with President
23 Zelensky was 1 September.

24 MR. JORDAN: And then the Vice President comes back and tells the
25 President that, hey, this Zelensky guy is a good guy, or something to

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1 that effect, talks about the meeting and the interaction they had.

2 MR. MORRISON: Yes, sir, essentially.

3 MR. JORDAN: And then it's just a few days after that that the
4 aid actually happens and is released.

5 MR. MORRISON: Sir, to my knowledge, the President determined to
6 release the aid the evening of September 11th. That information was
7 conveyed to the interagency the morning of September 12th, so there's
8 a few days gap. But yes, sir.

9 MR. JORDAN: Great. Thank you.

10 BY MR. CASTOR:

11 Q The meeting that you had with Colonel Vindman and John Erath,
12 was that the first time that you had asked John Erath to sit in a meeting
13 with you and Colonel Vindman?

14 A Based on the nature of the meeting, I felt it was appropriate
15 to have my deputy present because it was a meeting in the nature of
16 a personnel action.

17 Q Okay. And had you had any other meetings like that with John
18 Erath and Colonel Vindman?

19 A So I made a habit of including my deputy in meetings because
20 he was my backstop. If I was unable to attend something because I was
21 called into something else, I wanted my deputy to be fully informed
22 about what I was doing so that he could step in without skipping a beat.

23 Q Okay. But were there any other personnel-related meetings
24 like that?

25 A Not to my knowledge.

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1 Q Okay. There's been some questions here with other witnesses
2 about whether Kash Patel got involved with the Ukraine portfolio. Do
3 you know anything about that?

4 A Only what I've read in the press.

5 Q Okay. And you know Kash Patel?

6 A I do.

7 Q And he's a -- what's his area of responsibility at NSC?

8 A When he came to the NSC he was a director in the Directorate
9 For International Organizations. He is now a senior director in the
10 Counterterrorism Directorate.

11 Q Okay. And to your knowledge, he doesn't have any
12 Ukraine-related involvement?

13 A Correct.

14 Q Did Dr. Hill --

15 A I should say, my firsthand knowledge. I am, of course, aware
16 of certain press reports.

17 Q Okay. And what are the press reports that you're aware
18 of -- or what did you learn in the press about this issue?

19 A I'm not sure I learned anything in the press about this issue.
20 I'm aware of press reporting. I don't have any firsthand knowledge.
21 I'm not trying to be cute. I don't have any firsthand knowledge. I
22 can't vouch for the veracity or the credibility of the reporting. But
23 the public reporting is that he has somehow been involved in Ukraine
24 and has had a direct line to the President.

25 Q And you're not aware of that, right?

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1 A I have no firsthand knowledge.

2 Q Okay. There was a meeting in the Oval Office before you
3 assumed Dr. Hill's responsibilities on, I believe it was May 23th,
4 where Ambassador Sondland, Ambassador Volker, Senator Johnson briefed
5 the President on their visit to President Zelensky's inaugural. Are
6 you familiar with that meeting?

7 A I'm not sure I'm familiar with that meeting.

8 Q There's been an allegation raised that Colonel Vindman was
9 excluded from that meeting. Do you know anything about that?

10 A It's not uncommon for directors not to be included in
11 meetings with the President. It's the senior director's job. But I
12 have no firsthand knowledge of that meeting.

13 Q Okay. To the best of your knowledge, Kash Patel is somebody
14 with integrity?

15 A Yes.

16 Q And you have had no issues with Kash Patel during your joint
17 service with him at NSC?

18 MS. VAN GELDER: Excuse me, I believe that we've already
19 established that Kash Patel is outside the scope of his testimony today.

20 MR. CASTOR: Okay. I wish he was outside the scope of these
21 proceedings, but we've had a lot of questions about him.

22 MS. VAN GELDER: He's already said he has no dealings with Kash
23 Patel.

24 BY MR. CASTOR:

25 Q Okay. But he's a colleague of yours on the NSC, right? I

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1 mean --

2 A He is.

3 Q Okay. And so you've never had any dealings with him
4 whatsoever?

5 A I have.

6 Q Okay. Have they been positive?

7 MS. VAN GELDER: Let's keep it to the inquiry. It's a slippery
8 slope when we start going into what could be personnel actions and other
9 issues.

10 MR. CASTOR: Okay. I think I'm pretty much done. I think I'll
11 yield back.

12 THE CHAIRMAN: Would you like to take a short break or should we
13 keep going?

14 MR. MORRISON: I'm fine to keep going, Chairman.

15 THE CHAIRMAN: Okay. I'm just going to ask a few questions, then
16 turn it over to my House colleagues before we go back to Mr. Goldman.

17 Do you know whether Colonel Vindman had consulted with the legal
18 counsel about concerns over what you've described as the Burisma bucket
19 of issues prior to your arrival at the NSC?

20 MR. MORRISON: I have no firsthand knowledge, sir.

21 THE CHAIRMAN: If he had been advised by the legal adviser to
22 raise those concerns directly with him and not discuss them with others,
23 would you still believe that he should discuss those issues with you?

24 MR. MORRISON: Chairman, I would expect somebody to have advised
25 me that there was that conduit in which I was not involved.

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1 THE CHAIRMAN: But you would agree that if he was following the
2 advice of the legal counsel, he would not be violating the chain of
3 command?

4 MR. MORRISON: Yes, sir, I would agree.

5 THE CHAIRMAN: Now, I know Mr. Patel had a promotion of some kind?

6 MR. MORRISON: Yes, sir.

7 THE CHAIRMAN: Prior to his promotion, what was his position?

8 MR. MORRISON: Sir, he was the director in the Directorate on
9 International Organizations.

10 THE CHAIRMAN: And how does that compare to your position?

11 MR. MORRISON: I mean, there's special assistants who are
12 administrative staff. There's directors in the policy lane. There's
13 directors, there's the senior director, and then there's the Deputy
14 National Security Advisor and the National Security Advisor.

15 THE CHAIRMAN: And would his position be above yours? Below
16 yours? Equivalent to yours?

17 MR. MORRISON: Below, sir.

18 THE CHAIRMAN: Below your position?

19 MR. MORRISON: As a director, yes, sir.

20 THE CHAIRMAN: If he did involve himself in Ukraine matters,
21 should that have gone through you?

22 MR. MORRISON: Yes, sir.

23 THE CHAIRMAN: So if he involved himself in Ukraine matters, he
24 would have been outside of his chain of command?

25 MR. MORRISON: Sir, in my opinion, as the Senior Director for

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1 European Affairs, if he engaged in policy on Ukraine and he did not
2 advise me, that would be a process foul.

3 THE CHAIRMAN: And so that would be outside the chain of command
4 in a way that would be a process foul?

5 MR. MORRISON: Sir, I don't know that I see this as a chain of
6 command issue. He does not report to me. He's not in my chain of
7 command. It would be a process foul.

8 THE CHAIRMAN: But if he's working on Ukraine, he should be in
9 your chain of command, correct?

10 MR. MORRISON: No, sir, not necessarily. There could be Ukraine
11 counterterrorism issues or Ukraine issues related to the U.N. Security
12 Council or International Organizations when he was assigned to that
13 directorate that he could be engaged in, but as the regional senior
14 director, I should be aware of that. It's my responsibility to attempt
15 to be aware of everything the United States is doing in Ukraine. In
16 that, I'm assisted by people like Alex.

17 THE CHAIRMAN: And if you're not advised of that, that can be a
18 problem because it means that your decisionmaking is not as informed
19 as it should be?

20 MR. MORRISON: Well, I blanch that I make decisions. My policy
21 recommendations, my ability to work with the interagency, the ability
22 of the United States to not be in a situation where the right hand is
23 engaging Ukraine without the left hand knowing what's going on and
24 therefore we look confused to the Ukrainians, for example, the process
25 exists to prevent that.

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1 THE CHAIRMAN: Okay. I want to follow up on some of the questions
2 about the Vice President.

3 I think you said that you would expect that the Vice President
4 would have been given a record of the call that President Trump had
5 with President Zelensky since he was very soon thereafter going to a
6 meeting with President Zelensky. It would be part of his
7 presidential -- the vice presidential daily brief?

8 MR. MORRISON: Yes, sir. At that point the idea of the Vice
9 President meeting with President Zelensky was not planned. But it's
10 the normal process for a head of state call for a copy of the transcript
11 to be made available to the Vice President the next available day.

12 THE CHAIRMAN: I know there have been questions raised, and I'm
13 not going to ask you to comment on the veracity of them, about whether
14 the President reads his daily brief or doesn't read his daily brief.
15 Do you have any reason to believe that the Vice President doesn't read
16 his daily brief?

17 MR. MORRISON: Sir, the Vice President is known to be a voracious
18 reader of his daily brief.

19 THE CHAIRMAN: So you would imagine that the call record would
20 have been in his daily brief and that he would have read it?

21 MR. MORRISON: It is the normal practice for it to have been in
22 the daily brief. I cannot speak authoritatively that it was in his
23 daily brief the next available day after the July 25th call, but I
24 attempted to say that it was my understanding he had access to it while
25 he was flying over to Warsaw.

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1 THE CHAIRMAN: Now, that bilateral meeting that the Vice
2 President participated in, that was a fairly large number of people,
3 was it not?

4 MR. MORRISON: The Zelensky-Pence bi-lat?

5 THE CHAIRMAN: Yes.

6 MR. MORRISON: Yes, sir, we had a large delegation.

7 THE CHAIRMAN: So how large was the delegation? Was it -- I
8 mean, I don't need an exact number, but was it two or three dozen people?

9 MR. MORRISON: There were two rows of seat on the U.S. side. I
10 think there was only one row of seats on the Ukrainian side. It was
11 a large U.S. delegation.

12 THE CHAIRMAN: So maybe 20 to 30 people?

13 MR. MORRISON: I would say more like a dozen, maybe -- I would
14 say about a dozen.

15 THE CHAIRMAN: So you said two rows of representatives from the
16 United States?

17 MR. MORRISON: Yes, sir.

18 THE CHAIRMAN: And how many people in each row?

19 MR. MORRISON: So about six or seven.

20 THE CHAIRMAN: Okay. So that would be about 12 to 14 on the U.S.
21 side?

22 MR. MORRISON: I don't think the second row was a complete row,
23 sir, but I recall we had two rows, they had one row. And sometimes
24 it was -- it can be embarrassing in these circumstances how much bigger
25 our side is than the opposite country side.

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1 THE CHAIRMAN: So it sounds like you're talking about the
2 neighborhood of 10 to 20 people, then.

3 MR. MORRISON: Sir, I think it was closer to about 12.

4 THE CHAIRMAN: Okay.

5 MR. MORRISON: Oh, in the meeting overall?

6 THE CHAIRMAN: Yes, in the meeting overall.

7 MR. MORRISON: Yes, sir, probably about -- probably about 20.

8 THE CHAIRMAN: Okay. So you're saying that in the meeting with
9 20 people present, Vice President Pence did not bring up the Burisma
10 bucket of issues. Is that right?

11 MR. MORRISON: That is correct, sir.

12 THE CHAIRMAN: But immediately after that large meeting there's
13 a private meeting between Ambassador Sondland and Mr. Yermak where he
14 does bring up the Burisma bucket of issues, right?

15 MR. MORRISON: Yes, sir.

16 THE CHAIRMAN: And then immediately after that he goes and tells
17 you about it?

18 MR. MORRISON: Yes, sir.

19 THE CHAIRMAN: Mr. Engel, do you have questions?

20 MR. ENGEL: I have no questions at this time. Thank you.

21 THE CHAIRMAN: Okay. Mrs. Maloney?

22 Mr. Swalwell.

23 MR. SWALWELL: Thank you, Chairman.

24 And thank you, Mr. Morrison, for coming in.

25 Following up on the chairman's question, one reasonable

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1 conclusion could be that the Vice President did not wish to bring up
2 that bucket you've described in front of such a large audience. Is
3 that right?

4 MR. MORRISON: Sir, I don't want to speculate on why.

5 MR. SWALWELL: Is it also a reasonable conclusion that perhaps
6 the Vice President thought it would be wrong to bring up those issues?

7 MR. MORRISON: Sir, again, I prefer not to speculate why the Vice
8 President conducted the meeting the way he did.

9 MR. SWALWELL: Well, the Vice President's job is to carry out the
10 policy priorities of the President. You would agree to that?

11 MR. MORRISON: Yes, sir.

12 MR. SWALWELL: And if the Vice President read the call record as
13 a voracious reader, as you described, it's pretty clear in that call
14 record that a priority of the President of the United States is for
15 the President of Ukraine to investigate the Bidens. Is that right?

16 MR. MORRISON: These issues were raised in the MEMCON, yes, sir,
17 and the phone call.

18 MR. SWALWELL: So if Vice President Biden in his first
19 face-to-face meeting with --

20 MS. VAN GELDER: Vice President Pence.

21 MR. SWALWELL: Sorry. If Vice President Pence in his first
22 face-to-face meeting with President Zelensky about a month after the
23 July 25th call does not bring up a central priority of the President's,
24 is that the Vice President failing to carry out the President's
25 priorities?

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1 MR. MORRISON: Sir, I listened to the July 25th phone call, and
2 I never raised these issues either.

3 MR. SWALWELL: Why not?

4 MR. MORRISON: I did not consider them to be within my area of
5 responsibility, my lane.

6 MR. SWALWELL: Did you think they were wrong?

7 MR. MORRISON: Sir, they were not issues I would have raised.

8 MR. SWALWELL: But were they wrong?

9 MR. MORRISON: Sir, I did not make that judgment at the time.

10 MR. SWALWELL: But I'm asking you to make the judgment now. Are
11 they wrong?

12 MR. MORRISON: Sir, I did not make that judgment at the time.

13 MR. SWALWELL: But at this time today, do you believe they are
14 wrong?

15 MR. MORRISON: Sir, I have not come to that judgment, and I did
16 not make that judgment at the time.

17 MR. SWALWELL: You referenced that Ambassador Bolton spoke with
18 President Trump about the security assistance, but I didn't hear you
19 talk about what was discussed. Do you know what they discussed?

20 MS. VAN GELDER: I believe that that is for later to be determined
21 how we get around that.

22 MR. SWALWELL: Okay. Were you -- well, let me ask you, I asked
23 you if it's wrong for the President to bring up those investigations.
24 Is it right for him to bring up those investigations with President
25 Zelensky?

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1 MR. MORRISON: Sir, it's the President's choice what he raises
2 with a foreign leader.

3 MR. SWALWELL: At any point after the July 25th phone call, were
4 you aware that a whistleblower complaint was in the works?

5 MR. MORRISON: I'm sorry, sir. What timeframe are we talking
6 about?

7 MR. SWALWELL: At any point after the July 25th phone call, were
8 you aware?

9 MR. MORRISON: When news of the whistleblower complaint became
10 public, I became aware.

11 MR. SWALWELL: But were you aware internally --

12 MR. MORRISON: No, sir.

13 MR. SWALWELL: -- by any way?

14 MR. MORRISON: No, sir.

15 MR. SWALWELL: Are you aware of anyone else being aware
16 internally before it became public?

17 MS. VAN GELDER: With all due respect, Congressman, I believe
18 that if it's good for the goose, it's good for the gander. And when
19 we start saying we can't go into who the whistleblower was or what we
20 were aware of when the whistleblower was, that that would be beyond
21 the scope of this testimony.

22 MR. SWALWELL: If the investigations into Burisma, the Bidens,
23 and 2016 were not policy priorities, what would you describe them as?

24 MR. MORRISON: Issues on the President's radar, issues that had
25 his attention. But these were not issues that the policy process was

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1 working on.

2 MR. SWALWELL: And who is more important, the policy personnel
3 or the President?

4 MR. MORRISON: Sir, the President is the President.

5 MR. SWALWELL: What does that mean?

6 MR. MORRISON: That means we all serve at his pleasure.

7 MR. SWALWELL: I'll yield back.

8 THE CHAIRMAN: Representative Speier.

9 MS. SPEIER: Thank you, Mr. Chairman.

10 Thank you, Mr. Morrison.

11 At one point you referenced that this was right after the 9/1
12 meeting, and you reported to Mr. Bolton and to Mr. Taylor about this
13 condition now before the aid was going to be made available. And
14 Mr. Bolton said, stay out of this, and you took it to the lawyers at
15 NSC. And I scribbled down what you said, and something to that effect
16 that you wanted to make sure there was a record of what Sondland had
17 said to protect the President.

18 MR. MORRISON: Correct.

19 MS. SPEIER: So you wanted to protect the President from what?

20 MR. MORRISON: And, Congresswoman, I'm still not completely
21 certain that this was coming from the President. I'm only getting this
22 from Ambassador Sondland.

23 And so if Ambassador Sondland is doing this, and I am not entirely
24 certain that there's any involvement here of the President, I want to
25 make sure there's a record. And to my way of thinking, that record

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1 should go through the lawyers, especially White House counsel, about
2 what I am seeing and hearing and learning about.

3 MS. SPEIER: But let's, for discussion purposes, if in fact the
4 President didn't know about this, as you are trying to protect him by
5 reporting it to the lawyers, are you saying then that you thought it
6 was unjust, illegal, inappropriate for the aid to be conditioned on
7 this public statement by Mr. Zelensky?

8 MR. MORRISON: Ma'am, there's a reason I framed it as two
9 processes. The proper process that I was a part of includes an
10 extraordinary number of lawyers. We do not develop options for the
11 President that are not legal. This other process that, as far as I
12 know, chiefly only involved Ambassador Sondland, Mr. Giuliani
13 evidently, does not have that kind of protection.

14 Ambassador Bolton is fond of saying that the process is your
15 protection. So part of what I'm trying to do here in talking to the
16 lawyers is making sure they're aware of what Mr. Sondland is doing.
17 And he's saying the President is aware, but I'm still not entirely
18 certain that he is.

19 MS. SPEIER: All right. When the issue came up at that bilateral
20 meeting with Vice President Pence and President Zelensky, and President
21 Zelensky asked why was the security assistance being withheld, what
22 did Vice President Pence say?

23 MR. MORRISON: He focused on President Trump's concerns, that
24 President Trump wanted to make sure that Ukraine was making progress
25 on its corruption reform agenda. And he made the points -- I'm sorry,

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1 excuse me -- the Vice President made the point to President Zelensky
2 that President Trump believed the Europeans should be doing more about
3 matters in Europe, and given that security assistance, security-sector
4 assistance to Ukraine was entirely American, the President believed
5 that the Europeans should be contributing more in security-sector
6 assistance.

7 MS. SPEIER: And what did President Zelensky say to that?

8 MR. MORRISON: He agreed -- President Zelensky agreed with Vice
9 President Pence that the Europeans should be doing more. As I recall,
10 he related to Vice President Pence conversations he'd been having with
11 European leaders about getting them to do more.

12 And he stated his strong commitment and some of the things he had
13 been doing -- this was 2 or 3 days after Ambassador Bolton and I, among
14 others, had been in Ukraine meeting with President Zelensky -- even
15 in those 2 or 3 days, what President Zelensky and his Servant of the
16 People Party in the Rada had done on the corruption reform agenda.

17 MS. SPEIER: And he didn't say anything about he was pursuing an
18 investigation? He didn't use that word?

19 MR. MORRISON: He who, ma'am?

20 MS. SPEIER: Pardon he?

21 MR. MORRISON: He who, ma'am?

22 MS. SPEIER: I'm sorry. President Zelensky.

23 MR. MORRISON: No, ma'am. I have no recollection that he raised
24 any of the Burisma investigation.

25 MS. SPEIER: Or just used the word "investigation"?

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1 MR. MORRISON: No, ma'am, I have no recollection that he did.

2 MS. SPEIER: When our colleagues on the other side were
3 making -- asking you questions about Lieutenant Colonel Vindman, you
4 made a point of saying he was a patriot. And then there were a series
5 of questions asked that, from my view, were attempting to undermine
6 him as someone who is doing his job.

7 So why don't you tell us a little bit about the work that you
8 observed of Lieutenant Colonel Vindman that were indeed exemplary.

9 MR. MORRISON: Ma'am, I'm limited based on the scope of the
10 inquiry to talk about matters related to security assistance. I think
11 I know as well as you do Lieutenant Colonel Vindman's bio, which makes
12 clear that he is a tremendous patriot.

13 He has been deployed to conflict zones. He has been wounded and
14 shed blood for his country, been awarded the Purple Heart. There
15 should be no imputation that Colonel Vindman is anything other than
16 an absolute patriot.

17 MS. SPEIER: Well, I know, but --

18 MS. VAN GELDER: I ask for your indulgence. May I speak to my
19 client?

20 [Discussion off of the record.]

21 MS. VAN GELDER: I apologize.

22 MS. SPEIER: So on this issue area, I mean, you would -- would
23 you not agree that he's an expert?

24 MR. MORRISON: I think he knew his portfolio, yes, ma'am.

25 MS. SPEIER: And you're aware that he has been working on this

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1 issue, if I am remembering my notes here, since 2008 he has been a
2 foreign area officer in Eurasia. You're aware of that?

3 MR. MORRISON: Well, ma'am, he was recruited to come to the NSC
4 because he was a Russia expert. We had a staffing under Dr. Hill, we
5 had a staffing requirement that he not come over -- that he not do the
6 Russia portfolio because she had a need at the time for a Ukraine
7 officer. And he's Ukrainian, so it seemed like a good fit at the time.

8 MS. SPEIER: And he certainly got good job performances, I
9 presume?

10 MR. MORRISON: I never did an employee review of him.

11 MS. SPEIER: So the issue that was raised about chain of command,
12 I just want to come back to it. He had the right, did he not, to go
13 directly to the attorney in the NSC to raise his concerns about that
14 telephone call?

15 MR. MORRISON: Yes.

16 MS. SPEIER: On July 25th?

17 MR. MORRISON: Yes.

18 MS. SPEIER: So it was not that he was not following the chain
19 of command, as it was suggested by colleagues on the other side of the
20 aisle?

21 MR. MORRISON: Well, ma'am, it's my view, as his supervisor, he
22 should have brought his concerns first to me since I was also going
23 to NSC Legal with those concerns. We didn't necessarily need to both
24 do it. If we had coordinated better, you know, the chain of -- if he
25 had come to me as I would have expected, that's the issue.

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1 MS. SPEIER: But, again, there was no -- he didn't violate any
2 rules by going to the attorney?

3 MR. MORRISON: He did not violate any formal rules.

4 MS. SPEIER: All right. I yield back.

5 THE CHAIRMAN: I just have a couple followup questions before I
6 pass it on to Mr. Heck.

7 You mentioned one of the reasons why after the Warsaw discussions
8 you had with Ambassador Sondland you went to the legal counsel to
9 document that conversation to protect the President. Is that right?

10 MR. MORRISON: That was among my motivations, yes, Mr. Chairman.

11 THE CHAIRMAN: In case what Ambassador Sondland said had not been
12 authorized by the President.

13 MR. MORRISON: Mr. Chairman, that is one of the concerns I had
14 about the way Ambassador Sondland undertook what he understood to be
15 his portfolio.

16 THE CHAIRMAN: But did you understand also at the time you took
17 this action that if, in fact, Ambassador Sondland was acting at the
18 direction of the President, you were also creating a paper trail
19 incriminating the President?

20 MR. MORRISON: Well, sir, you could make that argument, yes.

21 THE CHAIRMAN: Now, I think you testified earlier that Ambassador
22 Sondland told you in Poland that he had told Yermak that the prosecutor
23 general needed to commit to these investigations to get the military
24 aid, right?

25 MR. MORRISON: Yes, sir.

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1 THE CHAIRMAN: And then it was subsequently on the phone where
2 he came back to you, Ambassador Sondland that is, and said, no, the
3 prosecutor general is not going to be sufficient, President Zelensky
4 has to commit to that, right?

5 MR. MORRISON: Yes, sir. He related the President told him there
6 was no quid pro quo, but President Zelensky had to do it and he should
7 want to do it.

8 THE CHAIRMAN: Okay. Now, was there anyone in a position to give
9 Ambassador Sondland instructions about what Ukraine needed to do apart
10 from the President?

11 MR. MORRISON: Yes.

12 THE CHAIRMAN: And who would that be?

13 MR. MORRISON: Sir, there were a number of actors.

14 THE CHAIRMAN: And I'm not talking about in the sort of normal
15 scheme of things, because we've already discussed this as a regular
16 channel. But in your experience, apart from the President or perhaps
17 Ambassador Bolton, was there anyone giving Ambassador Sondland
18 instructions that he was to convey to Ukraine?

19 MR. MORRISON: So, sir, I'm sorry, I may not understand your
20 question. In a proper process the Acting Assistant Secretary of State
21 Reeker would have --

22 THE CHAIRMAN: Yeah. I'm not asking about the proper process.
23 I'm asking about the improper process.

24 MR. MORRISON: Yes, sir.

25 THE CHAIRMAN: And that is, in your experience, apart from the

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1 President, was anyone in a position to tell Ambassador Sondland you
2 can do this or you can't do that?

3 MR. MORRISON: Sir, in the context of what I understood to be the
4 parallel process, Ambassador Sondland believed and at least related
5 to me that the President was giving him instruction.

6 THE CHAIRMAN: So if Ambassador Sondland acknowledged making an
7 error in originally saying that the prosecutor general could make this
8 commitment and later corrected and said, no, according to the
9 President, it has to be President Zelensky, there would have been nobody
10 else other than the President that could've raised the bar that way?

11 MR. MORRISON: Sir, something I was thinking about earlier when
12 I was answering your related question was, it could have been as simple
13 as Ambassador Sondland thought more about it and decided, no, this won't
14 work for some reason, because there was no discipline in how he was
15 carrying out what he understood to be his responsibilities.

16 THE CHAIRMAN: And he understood his responsibilities to be doing
17 what the President asked him to do?

18 MR. MORRISON: He related to me he was acting -- he was discussing
19 these matters with the President.

20 THE CHAIRMAN: And, in fact, every time you went to check to see
21 whether he had, in fact, talked to the President you found that he had
22 talked to the President?

23 MR. MORRISON: Yes, Mr. Chairman.

24 THE CHAIRMAN: And in Poland, after the vice presidential
25 delegation meeting, when Ambassador Sondland goes to have that private

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1 conversation with Mr. Yermak and tells him about the conditioning of
2 the aid, remind me what Mr. Yermak's position was in relationship to
3 Zelensky.

4 MR. MORRISON: Sir, I mean, frankly, he was probably somewhat
5 akin to me. He was a Presidential adviser on American issues, America
6 issues.

7 THE CHAIRMAN: And is it reasonable to expect that after
8 Ambassador Sondland told Yermak that the aid would not happen unless
9 there was the commitment to these investigations, then Mr. Yermak, as
10 the adviser to Zelensky, would have promptly told Zelensky about this?

11 MR. MORRISON: Sir, if I take the parallel that he's something
12 like me, he might have had one or two layers between him and the
13 President that he would have gone to first. But I somewhat hesitate
14 to speculate too much about where he would have gone next.

15 THE CHAIRMAN: But that message would have gotten to President
16 Zelensky in short order, you would expect?

17 MR. MORRISON: It may, sir, I simply can't say.

18 THE CHAIRMAN: Well, that's not the kind of thing you would keep
19 from the President of Ukraine, would it, if you were his adviser,
20 particularly when he raised that in the meeting with the Vice President?

21 MR. MORRISON: Well, he didn't raise -- sir, he didn't raise it
22 in the meeting with the Vice President. He raised it after the meeting
23 with the Vice President.

24 THE CHAIRMAN: Well, I'm talking about Zelensky. Zelensky
25 raises the aid in the meeting with Vice President Pence?

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1 MR. MORRISON: Yes, sir.

2 THE CHAIRMAN: Immediately after the meeting his adviser, and as
3 I understand the top adviser to Zelensky, has this conversation with
4 Ambassador Sondland?

5 MR. MORRISON: Yes, sir.

6 THE CHAIRMAN: It's on the subject of what he just -- Zelensky
7 just talked to Pence about. You would expect that Yermak would
8 communicate that to Zelensky, would you not?

9 MR. MORRISON: Sir, he -- I'm sorry. He may have. I don't know
10 for a fact. He could've gone to another level, and that other level
11 said, no, this is crazy, keep it away from the President.

12 THE CHAIRMAN: Do you have any reason to believe that's the case?

13 MR. MORRISON: Sir, I don't have any reason to believe on either
14 side of the coin what he did with that information.

15 THE CHAIRMAN: And in your position and understanding the role
16 that Mr. Yermak plays, your testimony is you can't venture a guess as
17 to whether that critical piece of information, that critical
18 conditionality would have been shared by Mr. Yermak with his boss?

19 MR. MORRISON: Sir, if it were me and I was -- I'm applying this
20 to me -- I would have gone to Danylyuk first and talked to him before
21 anything went to the President.

22 THE CHAIRMAN: Well, I'm not sure that it is equivalent --

23 MR. MORRISON: Yes, sir.

24 THE CHAIRMAN: -- in your position with one of President
25 Zelensky's top advisers.

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1 But I will now recognize Mr. Heck.

2 MR. HECK: No questions at this time, Mr. Chairman.

3 THE CHAIRMAN: I can't see who's behind Mr. Heck.

4 Mr. Cicilline?

5 MR. CICILLINE: Mr. Morrison, in your testimony just a few
6 moments ago you said, I think, the President can talk to a foreign leader
7 about anything he wants. Was that your testimony?

8 MR. MORRISON: Yes, sir, effectively.

9 MR. CICILLINE: But you recognize that there are some
10 conversations a President could have that would be inappropriate,
11 right?

12 MR. MORRISON: Yes, sir.

13 MR. CICILLINE: Illegal?

14 MR. MORRISON: Yes, sir.

15 MR. CICILLINE: Undermine our national security?

16 MR. MORRISON: Yes, sir.

17 MR. CICILLINE: So when you say a President can talk about
18 anything he wants, it doesn't mean that you would characterize every
19 conversation that a President has with a foreign leader as acceptable?

20 MR. MORRISON: Acceptable as to what standard, sir?

21 MR. CICILLINE: Well, you said a -- what did you mean when you
22 said a President can talk about anything he wants with a foreign leader?

23 MR. MORRISON: I know of no -- no one could tell him he can't do
24 it. A lawyer could tell him you shouldn't do it, it's illegal, but
25 ultimately the President is the President.

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1 MR. CICILLINE: Well, I mean, ultimately the President can utter
2 the words. But as a national security expert you recognize, of course,
3 there are things that a President could say in a conversation with a
4 foreign leader which would undermine our national security, right?

5 MR. MORRISON: Yes, sir.

6 MR. CICILLINE: That would undermine the integrity of our
7 elections, right?

8 MR. MORRISON: Yes, sir.

9 MR. CICILLINE: That would be contrary to U.S. policy?

10 MR. MORRISON: Yes, sir.

11 Well, sir, with respect to the last, if the President says it,
12 it may no longer be incompatible with U.S. policy. He may have just
13 articulated a new U.S. policy.

14 MR. CICILLINE: So your view is a President can -- let me strike
15 that.

16 There are no limits to what a President of the United States can
17 say to a foreign leader on a telephone that you would consider
18 inappropriate, inadvisable, illegal, or contrary to our national
19 security interests?

20 MR. MORRISON: Sir, your -- the President can choose to raise
21 whatever he wants, even if there is --

22 MR. CICILLINE: Even if it's illegal?

23 MR. MORRISON: Even if there is a legal opinion that it is
24 illegal, he could still choose to raise it. He could choose --

25 MR. CICILLINE: And then he would be -- he or she would be

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1 accountable for that conduct, correct?

2 MR. MORRISON: Yes, sir.

3 MR. CICILLINE: Okay. No further questions.

4 THE CHAIRMAN: So I take it from that you don't subscribe to the
5 view that if a President says it or does it, it can't be a violation
6 of law?

7 MR. MORRISON: I'm not a legal expert, sir.

8 THE CHAIRMAN: Do you have to be a legal expert to express an
9 opinion on that?

10 MR. MORRISON: Sir, there are, dating back to law school, which
11 for me now is over 12 years ago, there are varied opinions on this
12 matter.

13 THE CHAIRMAN: You don't think the President is above the law,
14 do you?

15 MR. MORRISON: Sir, I think there are -- there is foreign
16 law -- foreign policy and law with respect to foreign affairs and there
17 is domestic policy, and I think I fall within the camp of the President
18 is pretty much the ultimate authority on matters of foreign policy under
19 Article II.

20 THE CHAIRMAN: Well, I'm not asking you about foreign policy. Do
21 you believe the President of the United States is above the law?

22 MR. MORRISON: I do not believe the President of the United States
23 is above the law as articulated by the Constitution.

24 THE CHAIRMAN: Mrs. Demings.

25 MRS. DEMINGS: Thank you, Mr. Chairman.

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1 And, Mr. Morrison, thank you for being here with us today.

2 That was an interesting exchange. Being someone who enforced the
3 law for 27 years, the President is not above the law, Constitution or
4 otherwise.

5 I just want to very quickly ask you, when you talked about going
6 to see the NSC lead counsel about your concern about the content of
7 the July 25th call, and I believe you said your main concern was about
8 the call being leaked because of the political environment in D.C.,
9 who did you, if you could please clarify for me, who did you speak with
10 before you went to see the legal counsel about your concern?

11 MR. MORRISON: Ma'am, I articulated in my statement three
12 concerns about what would happen if it leaked.

13 MRS. DEMINGS: No, I'm just asking, who did you speak with,
14 because that was the issue for Lieutenant Colonel Vindman about him
15 not speaking to you. Who did you speak with before you went to see
16 the lead counsel about your concern about the call?

17 MR. MORRISON: No one, ma'am.

18 MRS. DEMINGS: You spoke to no one. And who do you report to?

19 MR. MORRISON: The Deputy National Security Advisor and the
20 National Security Advisor.

21 MRS. DEMINGS: Okay. All right. Thank you.

22 Thank you, Mr. Chair.

23 THE CHAIRMAN: Mr. Welch.

24 MR. WELCH: No questions, Mr. Chairman.

25 THE CHAIRMAN: Ms. Eleanor Holmes Norton?

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1 Then I will hand it back to Mr. Noble.

2 BY MR. NOBLE:

3 Q I want to go back to your September 7th conversation with
4 Ambassador Taylor, on page 12 of Ambassador Taylor's statement. We
5 already went over this, but I did want to ask you, that after you had
6 this conversation with Ambassador Sondland, you reported that call or
7 that conversation as well to both Ambassador Bolton and the NSC lawyers,
8 correct?

9 A Yes, sir, correct.

10 Q And that would be Mr. Eisenberg and Mr. Ellis?

11 A Correct.

12 Q Okay. So am I right that this was at least the third time
13 that you had reported conversations relating to the Ukraine matter to
14 the NSC lawyers?

15 A At least.

16 Q Okay. Do you recall any other occasions that you went to
17 the NSC lawyers aside from -- I believe, just so we can account for
18 it on the record, I believe you had the July 25th conversation about
19 the President's phone call.

20 A And it may have been two conversations.

21 Q Two conversations that day, okay. And then you had the
22 conversation, I believe, after you returned from Warsaw. You told the
23 lawyers about the conversation you'd had with Ambassador Sondland on
24 the 1st. Is that right?

25 A Yes.

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1 Q And then you also told them about this conversation you had
2 with Ambassador Sondland, I believe it was on, is it the 7th,
3 September 7th?

4 A Yes.

5 Q Okay. So any other times you went to the NSC lawyers on
6 Ukraine matters --

7 A Yes.

8 Q -- that you can recall? What were the other occasions?

9 MS. VAN GELDER: I think, following Chairman Schiff's admonition
10 not to let people ask questions that might eventually get to the
11 whistleblower's identity.

12 THE CHAIRMAN: Can you repeat the question for me?

13 MR. NOBLE: Sure. The question was, aside from the
14 conversations you had with the NSC lawyers that we've discussed already
15 today, were there other occasions that he went to the NSC lawyers to
16 discuss Ukraine-related matters?

17 MR. MORRISON: Yes.

18 MS. VAN GELDER: Can we put a caveat, nonpersonnel?

19 THE CHAIRMAN: Yes. You should not answer that question in any
20 way that you believe would relate to the whistleblower. But outside
21 of that universe you -- the identity of the whistleblower, outside of
22 that universe.

23 MR. MORRISON: There was one other occasion where I spoke with
24 the lawyers about Ukraine-related matters, but I will not get into the
25 substance.

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1 THE CHAIRMAN: Okay.

2 BY MR. NOBLE:

3 Q We'll talk and maybe we'll come back to that.

4 So I want to go back just as a reference point to the text messages
5 quickly. On page 53, it's the last page, this is a text message group
6 involving Gordon Sondland, Bill Taylor, and Kurt Volker.

7 And do you see up at the top on September 8th at 11:20 a.m.,
8 Ambassador Sondland writes: Guys, multiple convos with Ze -- which
9 I take to mean Zelensky -- and POTUS -- which I take to mean the
10 President of the United States.

11 Now, we've already talked about the conversation that Sondland
12 had with President Trump on or about September 7th that he related to
13 you on September 7th, right?

14 A Yes.

15 Q That was the one that Ambassador Taylor wrote about in his
16 statement on page 12?

17 A I'm sorry. Sometimes I get confused about these
18 conversations.

19 So we've already talked about the conversation that Ambassador
20 Taylor had with me on September 7th, where I was talking about a
21 conversation I had had with Ambassador Sondland, which I believe was
22 earlier that day.

23 Q Okay. And that was the conversation that Ambassador
24 Sondland had had with President Trump?

25 A That's what he related to me, yes.

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1 Q Okay. Did he -- the question is, did he, Ambassador
2 Sondland, tell you about any of the conversations that he had with
3 President Zelensky around this time?

4 A I don't know that I recall a particular conversation that
5 Ambassador Sondland related to me he had with the Ukrainian President.
6 I think I would remember that because that would -- it's raising my
7 attention now.

8 I know, and I've earlier today talked about my concerns when
9 Ambassador Sondland would say he was talking to Ukrainian officials,
10 but Ambassador Taylor, our chief of mission, was not aware.

11 Q Okay. So maybe it might be helpful to look at Ambassador
12 Taylor's statement on page 12 in the next paragraph.

13 A Uh-huh.

14 Q About in the middle it says -- and this is a call that -- or
15 this is a conversation that Ambassador Taylor is relating that he had
16 with Ambassador Sondland.

17 And he says: Ambassador Sondland said that he had talked to
18 President Zelensky and Mr. Yermak and told them that although this was
19 not a quid pro quo, if President Zelensky did not, quote, "clear things
20 up," end quote, in public, we would be at a, quote, "stalemate."

21 And then Ambassador Taylor said he understood a stalemate to mean
22 that Ukraine would not receive the much-needed military assistance.

23 And then Ambassador Taylor also -- Ambassador Sondland also said
24 that this conversation concluded with President Zelensky agreeing to
25 make a public statement in an interview with CNN.

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1 And my question is, did you have a conversation with Ambassador
2 Sondland around this time where he relayed to you this conversation
3 he had with President Zelensky about doing an interview on CNN?

4 A No. But, I'm sorry, I guess where I'm still confused is
5 did -- okay. I see. Right. Ambassador Sondland said that his
6 conversation concluded with President Zelensky.

7 Q Sure. Yeah, take your time to review that.

8 A Yeah. No, this is the first I would have heard of this.

9 Q Okay. So, yeah, my --

10 A And, again, this is not involving me. This is involving --

11 Q Right.

12 A -- Ambassador Sondland and Ambassador Taylor.

13 Q Yeah. And my question was, did you have similar
14 conversations with Ambassador Sondland where he relayed that he had
15 spoken to President Zelensky and President Zelensky had agreed that
16 he was going to go on CNN to make the announcement about the Burisma
17 investigation?

18 A No.

19 Q Did you have any conversations with anyone about President
20 Zelensky making a statement on CNN or other network about the
21 Burisma-related investigation?

22 A I had conversations with Ambassador Taylor about what I was
23 hearing from Ambassador Sondland that he believed the President wanted
24 President Zelensky to go public. And Ambassador Taylor and I agreed
25 that Ambassador Taylor should counsel President Zelensky not to do it.

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1 Q Okay. And do you know --

2 A Or counsel Ukrainian officials not to do it.

3 Q Right. And do you know if Ambassador Taylor, in fact,
4 counseled the Ukrainians not to do it?

5 A I believe he did, and I believe he said so in his statement
6 at some point.

7 Q And why did you and Ambassador Taylor agree that President
8 Zelensky shouldn't do that?

9 A Because we agreed that we did not want to see the President
10 of Ukraine -- really any Ukrainian official -- take a step which we
11 believed at this point would clearly inject them in our politics.

12 Q Okay. I want to ask you about the September 11th meeting
13 where it was decided to lift the freeze on the assistance.

14 A Okay.

15 Q Do you know who participated in that meeting?

16 A My understanding, because I was not there, was that it was
17 the President, it was the Vice President, it was Senator Portman, and
18 it was Chief of Staff Mulvaney.

19 Q Okay. Do you know when the meeting occurred on
20 September 11th?

21 A I believe it was the afternoon or the evening of
22 September 11th. I'm basing that off of Dr. Kupperman hearing from the
23 chief of staff's office around 8 p.m. that night that the hold was
24 lifted.

25 Q Okay. And where did the meeting take place?

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1 A I don't know. I assume the Oval, but I don't know.

2 Q Okay. Do you know what was discussed at the meeting?

3 A I believe Senator Portman was relating, and I believe the
4 Vice President as well, related their view of the importance of the
5 assistance. The Vice President was obviously armed with his
6 conversation with President Zelensky, and they were -- they convinced
7 the President that the aid should be disbursed immediately.

8 Q Do you know whether the Burisma bucket of investigations came
9 up during that --

10 A I do not.

11 Q -- meeting?

12 So I just want to establish who wasn't there. To your knowledge,
13 Ambassador Bolton didn't participate in that meeting?

14 A He did not, to my knowledge.

15 Q And Secretary of State Pompeo didn't, wasn't there?

16 A To my knowledge, he was not.

17 Q And what about Deputy National Security Advisor Kupperman,
18 was he there? Was he acting at that time, I guess, on September 11th?

19 A September 11th, I guess, he was because it was -- Monday,
20 September 9th was Ambassador Bolton went home reportedly having
21 delivered a letter of resignation. And I think, if I'm correct, the
22 Tuesday was September 10th. That was when we saw a tweet indicating
23 that Ambassador Bolton had been terminated.

24 Q Okay. And, in any event, Dr. Kupperman wasn't at that
25 meeting, to your knowledge?

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1 A Not to my knowledge.

2 Q Okay. And Defense Secretary Esper wasn't there?

3 A I'm not 100 percent confident Secretary Esper was yet
4 Secretary of Defense. I don't remember for a fact. We had a few in
5 that era. But to my knowledge, he was not there. The Secretary or
6 Acting Secretary was not there.

7 Q Okay. Do you know why the President made the decision to
8 lift the freeze at that time?

9 A I do not. Based on what I had been told, and it's not first
10 person, obviously, it's second and third person, it was -- the case
11 was made to the President that it was the appropriate and prudent thing
12 to do.

13 Q Okay. And who told you that?

14 A Dr. Kupperman. I believe Jennifer Williams related to me
15 what she'd heard from her channel, her system, per the Vice President.

16 Yes, those people.

17 Q Okay. So Dr. Kupperman and Jennifer Williams?

18 A Yes.

19 Q To the best of your recollection?

20 A Yes.

21 Q Okay. Were you aware that on September 9th the Intelligence
22 Committee, the Foreign Relations Committee, and the Committee on
23 Oversight had launched an investigation into Trump and Giuliani's
24 efforts to push the Ukrainians to investigate the Burisma bucket of
25 investigations?

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1 A I think maybe we -- the executive branch, the White House
2 had received a letter on that day, and I think I recall seeing it.

3 Q Okay. Did you have any discussions with folks at the NSC
4 about that?

5 A I think it may have been discussed in a staff meeting.

6 Q Who was present at that staff meeting?

7 A If I'm correct about the staff meeting, all of the NSC senior
8 directors, Doctor -- maybe, if it was the 9th, Ambassador Bolton was
9 still in the seat. If I'm remembering it correctly, I believe it was
10 discussed in the 10 a.m. Monday senior directors meeting. I'm sorry,
11 there's a lot of meetings, so I may not be remembering the right meeting.

12 Q Okay. Do you remember what --

13 A It may have happened the following week.

14 Q Do you remember what was said about the investigation in sum
15 and substance?

16 A That further guidance would come from NSC Legal as to what
17 NSC Personnel's responsibility was to be prepared for however the
18 President decided to respond to the letter.

19 Q Okay.

20 MR. NOBLE: Yeah. I believe my time is up.

21 THE CHAIRMAN: Mr. Morrison, do you need a break for the restroom
22 or anything, or do you want to keep plugging along?

23 MR. MORRISON: Keep going, sir.

24 THE CHAIRMAN: Okay. Good man.

25 Mr. Castor, 45 minutes.

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1 MR. JORDAN: So, Mr. Morrison, in the last hour in the majority
2 you said there were four times you went to the counsel's office: after
3 the July 25th call, after the Warsaw meeting between the Vice President
4 and President Zelensky, and then after the September 7th Ambassador
5 Sondland call. And then there was another time that you went. And
6 the other time, I just want to be clear, was related to the subject
7 matter of today's deposition?

8 MR. MORRISON: Yes.

9 MR. JORDAN: And can you give me the date that that was? I know
10 you can't say --

11 MR. MORRISON: I can't recall the date, sir.

12 MR. JORDAN: Was it -- so we did them in sequence, the 25th of
13 July, September 1st, September 7th. Was it after that?

14 MR. MORRISON: It was after -- it was after the -- it was after
15 the security assistance was released.

16 MR. JORDAN: So after September 11th. You got an idea of the
17 date?

18 MR. MORRISON: Sir, unfortunately, I do not.

19 MR. JORDAN: Okay. Thank you.

20 BY MR. CASTOR:

21 Q The September 7th conversation, there was a question, I
22 think, about whether you were able to in some cases verify whether
23 Ambassador Sondland had actually talked to the President?

24 A Yes.

25 Q And there were some instances where you weren't able to

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1 verify an actual conversation occurred?

2 A So, okay, sometimes it was because, for example, on
3 September -- I think it was September 7th -- whatever I was -- I was
4 exceptionally busy that morning, and I simply did not have the ability
5 to reach out to the Sit Room, the White House Sit Room, to find out
6 did they have any -- did -- you know.

7 On July 25th, I was able to confirm through the White House Sit
8 Room and another staffer that that call had occurred between the
9 President and Ambassador Sondland. I did not have the bandwidth to
10 do that on September 7th, for example.

11 Q Okay. So you were never able to verify if that call
12 happened?

13 A I was never able to verify whether Ambassador Sondland did
14 indeed speak to the President that morning.

15 Q Okay. Going back to the MEMCON. If I understood you
16 correctly, and this was early in today, so if I'm getting anything
17 wrong, please correct me, I don't mean -- I'm not -- there was nothing
18 unusual about the preparation of the MEMCON? Did you say that? Or
19 did it follow the regular process?

20 A So the MEMCON itself was being prepared in the usual way
21 except for the fact that I flagged for Mr. Eisenberg and Mr. Ellis that
22 I thought we should reduce access to that package.

23 Q Okay. And you provided definitive testimony on what
24 happened in Exec Sec and whether there was a mistake or not. But the
25 actual preparation of the document --

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1 A It followed, as near as I can recall, the normal process.

2 Q Okay. And had any staffer had edits or corrections you had
3 an open door to discuss possible edits?

4 A Yes.

5 Q And ordinarily if any staffer -- and I think I asked you this
6 before -- if a staffer that was on the call and heard something and
7 had notes and wanted an edit, you would ordinarily install that edit
8 as the final authority?

9 A So I had myself in the posture before the MEMCON would be
10 closed, so to speak, and sent off to the Exec Sec folks to process and
11 then be sent to Ambassador Bolton for him to sign off that the package
12 was ready. I had to have the final set of eyes on it.

13 And so I would review any edits proposed by anybody else who was
14 on the MEMCON. So in this case I believe it was chiefly my directorate
15 and NSC Legal. It may have been the case that the Energy Directorate
16 was on the MEMCON because we do a lot with Ukraine on energy. But I
17 don't recall that they had any edits.

18 But I put myself in the place of I would be the final authority
19 to review any edits proposed before it would go off to Exec Sec.

20 Q Okay. Have you seen any of the public reporting about
21 Colonel Vindman's issues he raised with the MEMCON?

22 A Yes.

23 Q And how do you square what's been reported about what he said
24 with what --

25 A Different people have different recollections. I put in my

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1 statement that I believe the MEMCON is accurate and complete.

2 Q Okay. Are you familiar with a former DAS from the Defense
3 Department, Evelyn Farkas?

4 A Yes.

5 Q Were you aware of any effort that she was undertaking to get
6 information on Trump allies as it relates to Russia?

7 MS. VAN GELDER: I'm sorry, before he even answers that question,
8 I'm going to say that goes back to what we'll call the whistleblower
9 attempt, that information.

10 MR. CASTOR: This relates to the whistleblower, the --

11 MS. VAN GELDER: I believe that unless -- you can ask whether he
12 worked with her or had an issue with her, then that's totally within
13 your scope, sir. But if it's, have you worked with her and has she
14 tried to get information, then that's outside the scope of what he is
15 testifying for.

16 MR. CASTOR: Okay. We'll just go one at a time then.

17 MS. VAN GELDER: Okay. Sure.

18 BY MR. CASTOR:

19 Q You know DAS Farkas?

20 A DASD, yes.

21 Q Yeah. And how do you know her?

22 A I knew her when she was the deputy assistant secretary of
23 defense for -- I think that portfolio was RUE, Russia and Ukraine and
24 Eastern Europe, during the Obama administration.

25 Q Okay. You knew her just that way?

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1 A As a HASC staff member, I had reason to engage with her.

2 Q Okay. And is there anything about any communications that
3 you had with her in 2017 that you remember?

4 MS. VAN GELDER: Objection. The scope of this, by definition,
5 does not start in 2017. So I'm going to object it's out of scope. But
6 also unless it relates to the subject matter here, whatever -- if you
7 have a discussion relating to this then we'll take it on a case by case.

8 MR. CASTOR: Fair enough.

9 Any other Members?

10 I yield back.

11 THE CHAIRMAN: I think we have a few more questions and then we
12 should probably -- well, what I was going to say is I think we have
13 a few more questions. And then we should huddle with you and see if
14 we can resolve some of the questions that we've asked that you've
15 refused to answer on potential privilege issues.

16 I recognize Mr. Goldman.

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1 [3:05 p.m.]

2 BY MR. GOLDMAN:

3 Q You referenced earlier some conversations that you had with
4 Ambassador Volker about this alternative policy process or the shadow
5 policy process that Rudy Giuliani and Ambassador Sondland were
6 operating. When were those conversations that you had with Ambassador
7 Volker?

8 A I recall a specific one example early September, where Kurt
9 came by the office -- actually, I'm sorry, apologies -- early August,
10 where Kurt came by the office with some of his staff, and I had Colonel
11 Vindman and Mr. Erath accompanying me. And it was generally an update
12 on what Kurt was doing as Special Envoy for Ukraine Negotiations.

13 When the meeting -- when that subject had exhausted itself, I
14 asked for Kurt to have his staff leave. I asked my staff to leave.
15 And that's when I asked Kurt about what he knew of this parallel channel,
16 this parallel process.

17 And, based on the call, the President's phone call, based on what
18 Dr. Hill had related to me, I wanted -- I like to try to evaluate things
19 for myself. I wanted to evaluate one-on-one with somebody I'd known
20 for quite some time what was he tracking.

21 Q And you said early August. Do you have any more specificity?

22 A 2 August.

23 Q August 2nd?

24 A Yes.

25 Q Okay. And what did he say to you?

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1 A He said, yes, he was -- to the best of my recollection, he
2 said, yes, he was aware of what Gordon was doing. I think he said he'd
3 had some phone calls with Mr. Giuliani and that it was his practice
4 to try to stay out of the political side of it and simply keep focused
5 on reform in Ukraine.

6 Q And did the topic of these Burisma bucket of investigations
7 come up?

8 A I think the -- I don't recall the idea of an investigation,
9 per se, coming up. I recall the topic of Burisma, the topic of -- I
10 don't know that I specifically mentioned the server or he mentioned
11 the server issue or -- I certainly don't have any recollection of
12 CrowdStrike. That it was just generally, you know, what is your take
13 on what's going on here? How are you involved? And we both agreed
14 we really didn't want to be involved.

15 Q And what did he say about Mr. Giuliani?

16 A To the best of my recollection, he said that he'd had
17 conversations with Mr. Giuliani from time to time and that, you know,
18 Mr. Giuliani had a belief that Ukraine was somehow involved.

19 Q Ukraine was somehow involved?

20 A I'm sorry, that Ukraine was somehow involved in 2016, the
21 election.

22 Q And what did he -- what else did he say?

23 A I think that's effectively it. It was maybe a 10-minute
24 stay-behind.

25 Q Okay. Ten minutes is a long time. Did he give his -- did

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1 he indicate to you that he was also in touch with any Ukrainians on
2 this topic?

3 MS. VAN GELDER: The topic being the --

4 MR. GOLDMAN: The investigations.

5 MR. MORRISON: The Burisma bucket. No, I don't believe so. I
6 have no recollection of that if he did.

7 BY MR. GOLDMAN:

8 Q And what did he say about Ambassador Sondland's role?

9 A Yeah, I mean, I think we both agreed that Ambassador Sondland
10 was, you know, sort of a free radical. He was sort of out there,
11 engaging when he wanted, and it was not always possible to keep track
12 of what it is that he was doing and who he was talking to.

13 Q And so, as of August 2nd, after, you know, 2-1/2 weeks on
14 the job, you understood, yourself, that Sondland was, quote, "a free
15 radical," unquote?

16 A I mean, I had some reason to believe that, based on Dr.
17 Hill's, you know, warnings when we were doing the handoff.

18 Q And had you witnessed it yourself?

19 A Yes. Not on Ukraine, but yes.

20 Q Uh-huh. And what did Ambassador Volker say about Sondland's
21 connection with Giuliani?

22 A I think it was chiefly just that they were talking, that they
23 were engaging regularly on these issues.

24 Q And did Ambassador Volker reveal whether Ambassador Sondland
25 was also engaging with any Ukrainians?

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1 A Not that I can recall. I was really chiefly focused on
2 getting from Ambassador Volker what did he -- what was he involved in?
3 What was he seeing? Because I really only had what I'd heard at this
4 time from Dr. Hill. And I think this was the first time I was in a
5 position to talk to Ambassador Volker other than on an open phone line,
6 one-on-one.

7 Q Right. No, it makes perfect sense. You're trying to figure
8 out what's going on after this call. I guess I'm just -- what I'm
9 trying to understand is what Ambassador Volker described to you about
10 his experience with Ambassador Sondland related to Ukraine.

11 A And, again, all I can recall is, you know, he provided his
12 own -- he provided me with an additional confirmation that there was
13 this parallel channel and it was focused on this -- you know, there
14 were these Burisma issues. But I have no recollection of, you know,
15 Ambassador Volker speaking about any conversations that he, Ambassador
16 Volker, had with Ukrainian officials about this subject matter nor
17 Ambassador Volker telling me that Ambassador Sondland or Mr. Giuliani
18 were having conversations with Ukrainian officials about the subject
19 matter.

20 Q So he didn't tell you that Rudy Giuliani was in Madrid that
21 very day meeting with Andrey Yermak?

22 A Not that I can recall.

23 Q And that --

24 A On August 2nd?

25 Q Yeah. And that Ambassador Volker had actually arranged that

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1 meeting?

2 A I don't believe so.

3 Q Did he mention anything about the White House visit in that
4 meeting?

5 A I think that was in the main meeting, was, you know, where
6 were we on getting a White House visit set up.

7 Q And what did you say?

8 A I said it was in -- we had endorsed it, it was in the
9 scheduling process, and we were working to find an opportunity. I
10 mentioned to him -- I believe I mentioned to him that I was working
11 that with Bill Taylor.

12 Q Uh-huh. Did you ever hear from anyone that Rudy Giuliani
13 was weighing in on whether there should be a meeting or not?

14 A No, I don't think so.

15 Q But you were aware that Rudy Giuliani had regular
16 communications with President Trump, correct?

17 A I mean, I guess I'm not surprised, but I don't think I have
18 any firsthand knowledge of that.

19 Q And you said earlier that every time -- and that you also
20 understood that Ambassador Sondland had regular communications with
21 President Trump.

22 A Certainly, Ambassador Sondland related to me that he did.

23 Q Right. And every time that you checked to confirm whether
24 his representations of those conversations was accurate --

25 A And that's --

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1 Q -- they were, in fact, accurate.

2 A Sorry. Yes. Every time he told me he had a conversation
3 where I was able to search to see could I confirm that a call happened,
4 yes, I was able to confirm a call happened. I was not able to confirm
5 that Ambassador Sondland's representations about the substance of the
6 call were accurate.

7 Q No, I understand that. I just meant there was no time when
8 you did, you know, your background research to confirm whether or not
9 his representation about the fact of a call was wrong.

10 A Correct.

11 Q And you also said, by the way, on that July 25th call, when
12 you sought to confirm whether he did speak with President Trump, that
13 a staffer also told you that he did?

14 A Yes.

15 Q Who was the staffer?

16 A I believe it was [REDACTED]. [REDACTED] an assistant to the
17 President for scheduling, Presidential scheduling.

18 Q Okay. So [REDACTED] helps to schedule the phone calls, and so you
19 could reach out to [REDACTED] to --

20 A Well, [REDACTED] helps to schedule the President's schedule. [REDACTED]
21 doesn't necessarily schedule the President's -- all of the President's
22 phone calls.

23 Q Okay.

24 After that August 2nd conversation with Kurt Volker, did you have
25 any more conversations with Kurt Volker on this topic?

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1 A On the topic of the so-called Burisma bucket?

2 Q On the topic of the non-eastern-Ukrainian issues related to
3 Ukraine, non-war issues.

4 A No, I don't believe so.

5 Q Nothing?

6 A I don't believe so. I think I --

7 Q The White House visit?

8 A -- only had one more -- so I had one more meeting with Kurt,
9 which I think was before the U.N. General Assembly. And then, if I'm
10 not mistaken, Ambassador Volker may have resigned the day after the
11 U.N. General Assembly meeting. I remember Ambassador Volker several
12 times poking me to try to get himself a seat in the bi-lat, in the
13 POTUS-Zelensky bi-lat, and I did not support him getting a seat.

14 Q Did you have any discussions with him about the July 25th
15 call at any point, including in the UNGA?

16 A I don't know if I had a conversation -- I don't believe I
17 had a conversation with him at UNGA about the call. I believe I had
18 a conversation with him either immediately before or immediately after
19 the call, back to July 25th, about the call.

20 Q What do you remember about that?

21 A Yeah. So I'm just looking again at what I printed out on
22 my calendar. I had a conversation with him on Monday, July 22nd. And
23 I think it was -- it was an unclassified call. So I think it was only
24 Ambassador Volker checking in, "Hey, is there going to be a call? What
25 can you tell me about are we going to be able to land a call?"

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1 Q Okay. And that was the only other time. Did you -- oh,
2 sorry. Around the UNGA period, did you talk to him about the
3 whistleblower complaint at all?

4 A So, no. I mean, I just want to frame -- Kurt showed up for
5 the bi-lat at UNGA kind of by surprise. I was sort of -- I didn't
6 understand why he was there since we didn't get him a seat. He had
7 no seat in the meeting. And so I was chiefly surprised when he showed
8 up that he was even there.

9 Q And you didn't talk to him?

10 A No. He was pretty pissed off at me.

11 Q Okay.

12 What about Secretary Perry? Did you have any conversations with
13 Secretary Perry about Ukraine?

14 A Yes.

15 Q When? How many?

16 A Three, three at the most.

17 Q And do you recall approximately when they were?

18 A So one of them was before the Warsaw bi-lat.

19 Q Which he attended, right?

20 A He did attend the Warsaw bi-lat. So I talked to him before
21 the Warsaw bi-lat about an unrelated matter. I talked to him at the
22 Warsaw bi-lat about the bi-lat and an unrelated matter. And I talked
23 to him -- I mean, I talked to him at a couple PCs, frankly, I guess,
24 now that I'm thinking about it.

25 But, really, Ukraine was a related issue to other policy matters

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1 that we were working on. For example, I think I -- so, for example,
2 Nordstream 2. The impact of that pipeline affects Ukraine's --

3 Q Uh-huh.

4 A -- economy and energy security.

5 Q Well, let me ask you this way: Did you ever speak with
6 Secretary Perry about this alternative process that you've been talking
7 about today?

8 A No.

9 Q Did you ever speak to him about Rudy Giuliani's involvement
10 in Ukraine?

11 A No.

12 Q Did you ever speak to him about Ambassador Sondland and his
13 involvement in Ukraine matters?

14 A Yes.

15 Q When did you speak to him about that?

16 A In the run-up to the bi-lat, because Secretary Perry was
17 signing a trilateral memorandum of understanding on energy security
18 between the United States, Poland, and Ukraine, and Ambassador Sondland
19 claimed some credit for helping to negotiate that document.

20 Q And that was the topic of your discussion with Secretary
21 Perry?

22 A About Ambassador Sondland?

23 Q Yeah.

24 A Yes.

25 Q Were you aware that there's a nickname for Ambassador

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1 Sondland, Volker, and Perry?

2 A I am now.

3 Q What is it?

4 A It's been reported, and I have no firsthand knowledge, that
5 it's the three amigos.

6 Q Did you ever hear any of the three of them call themselves
7 that?

8 A I don't believe so.

9 Q So you never discussed with Secretary Perry any of these
10 Burisma bucket of investigations?

11 A I did not.

12 Q What about Ulrich Brechbuhl? Did you ever discuss Ukraine
13 with Mr. Brechbuhl?

14 A No.

15 Q What about George Kent? Did you have any occasion to speak
16 with him? I understand he's sort of a level below you.

17 A He would've been on various secure video teleconference
18 appointments. I think he would've come to one or more of the Ukraine
19 PCCs that we were running.

20 Q Uh-huh. Did you ever have any conversations with him where
21 he expressed concerns about the Sondland-Giuliani bucket of issues?

22 A I recall a PCC where he expressed concern about Ambassador
23 Sondland's role in Ukraine at all, but not any of the
24 investigation/Burisma bucket issues.

25 Q Was that a private conversation between the two of you?

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1 A No. It might've been during the PCC itself.

2 Q During the PCC, he announced to the whole room that he was
3 concerned about Ambassador Sondland's role?

4 A I think the way he framed it is just in terms of, we were
5 doing a status check. State, what have your engagements been with
6 Ukraine lately? Again, part of the object of the PCC is to make sure
7 everybody knows what everybody is doing. And I believe the way he
8 framed it was, "We understand Ambassador Sondland has been to Ukraine
9 lately, but we don't know why."

10 Q Okay.

11 And the last thing before we take a moment to talk to your lawyer,
12 you've described a little bit about general complaints that President
13 Trump had about Europe not providing enough security assistance to
14 Ukraine.

15 A Yes.

16 Q Are you aware that Europe provides a lot of economic
17 assistance to Ukraine?

18 A Roughly 15 billion euros, yes.

19 Q Right. That's quite a significant amount of assistance to
20 Ukraine, correct?

21 A Not security assistance.

22 Q Right. So your understanding is that President Trump
23 understood the nuance between security assistance money and economic
24 assistance?

25 A I know President Trump was concerned that the United States

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1 was essentially the only supporter of security-sector assistance to
2 Ukraine.

3 Q In any of your materials that you produced as part of this
4 process to, as you described it, to convince President Trump to release
5 the aid, did you ever authorize or include the fact that Europe provided
6 15 billion euros of economic assistance?

7 [Discussion off the record.]

8 MR. MORRISON: We made sure the President's briefing materials
9 were complete and accurate.

10 BY MR. GOLDMAN:

11 Q So is that a "yes"?

12 A We made sure the President's briefing materials were
13 complete and accurate. I don't want to get into what was and was not
14 in the President's briefing materials.

15 MR. GOLDMAN: Maybe now is a good time to discuss this.

16 THE CHAIRMAN: I just have one question, and then why don't we
17 huddle and see if we can resolve some privilege issues. And we'll stop
18 the clock, and then we'll go back on the clock and then see if the
19 minority has followup questions as well.

20 The last question I have is: Did Ambassador Sondland have an aide
21 or an assistant who worked with him on what we're describing as the
22 irregular channel issues? Someone that, to your knowledge, traveled
23 with him or that you could reach out to if you needed to contact him?

24 MR. MORRISON: No. It was always Gordon himself.

25 THE CHAIRMAN: Do you know who his staff was?

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1 MR. MORRISON: I engaged with the U.S. EU Mission staff on various
2 topics from time to time.

3 THE CHAIRMAN: And those staff, would they have been in Europe?

4 MR. MORRISON: He may from time to time have had an aide travel
5 with him. It's not uncommon for an Ambassador to have somebody help
6 them, you know, with baggage calls and things like that. But I don't
7 recall -- I mean, whenever we were in this -- most of my engagements
8 with Gordon were one-on-one, phone calls and such.

9 THE CHAIRMAN: Okay.

10 Why don't we recess for discussions, and we'll try to make them
11 quick, as we would like to get you out at a reasonable hour.

12 MR. MORRISON: Thank you, Chairman.

13 [Recess.]

14 THE CHAIRMAN: Okay. Let's go back on the record. And we can
15 continue the clock from here.

16 And I'm handing it over to Mr. Goldman.

17 MR. GOLDMAN: Thank you, Mr. Chairman.

18 BY MR. GOLDMAN:

19 Q Mr. Morrison, I'm going to go back to the circumstances
20 surrounding the freeze on the security-sector assistance. And you
21 said that, after the Deputies Committee meeting on July 26, you had
22 a conversation with Ambassador Bolton about holding a Principals
23 Committee meeting on the topic and that Ambassador Bolton decided not
24 to pursue a Principals Committee meeting on that topic. Is that
25 accurate?

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1 A Correct.

2 Q What was the reason that Ambassador Bolton gave you for not
3 holding the Principals Committee meeting?

4 A He believed that it was unnecessary, that he already had a
5 reasonable idea of where the principals were, and he wanted to get
6 directly to the President as early as possible in the most effective
7 way.

8 Q And where did he understand that the principals were?

9 A That they were all supportive of the continued disbursement
10 of the aid.

11 Q And, in fact, that was pretty much the unanimous position
12 of the entire interagency, right?

13 A It was the unanimous position of the entire interagency.

14 Q Uh-huh. And is it fair to say that, by the end of July, the
15 interagency generally believed that Zelensky had been, to that point,
16 true to his commitment for reform?

17 A What I would say is, the interagency believed it was
18 important to give Zelensky a chance. He had not yet really been able
19 to demonstrate that he would deliver, just because of when the Rada
20 would be seated, which didn't happen until the end of August.

21 Q When did he implement the high court for corruption
22 prosecution?

23 A I don't have that date in mind.

24 Q But it was before the Rada --

25 A That sounds right to me.

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1 Q And that was a fairly significant anticorruption move that
2 none of the previous Presidents had done. Is that right?

3 A Correct.

4 Q And so why did Ambassador Bolton want -- so, sorry. Did you
5 say that Ambassador Bolton wanted to try to get the President one-on-one
6 to discuss this issue?

7 A No.

8 Q What was it that he wanted to do rather than --

9 A He wanted to get the principals themselves in with the
10 President to convey their support directly.

11 Q I see. And what efforts did he take to convene that meeting?

12 A Well, that was the impetus behind drafting the PDM, having
13 it ready for him to take with him to Bedminster on 16 August, so that
14 if there was an opportunity to raise it with the President, he would
15 be prepared to have that instrument for the President to sign and
16 memorialize the release of the aid.

17 Q Got it. And did they have time in the meeting to present
18 it to the President?

19 A They did not.

20 Q You said that, prior to that meeting, you learned that the
21 principals gathered and did discuss Ukraine. Was that in Bedminster
22 as well?

23 A That's my understanding.

24 Q What did you learn about that discussion?

25 A I learned that they all represented to Ambassador Bolton that

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1 they were prepared to tell the President they endorsed the swift release
2 and disbursement of the funding.

3 Q Okay. And, by this time, by August 16th -- withdrawn.

4 Did Ambassador Bolton ever try to provide the PDM to the President
5 after the August 16th meeting?

6 A Not to my knowledge.

7 Q Why not?

8 A Well, it was August 16th. We were expecting the President
9 to meet with President Zelensky on 1 September. It's the middle of
10 August; it's about 2 weeks. I believe Ambassador Bolton did not think,
11 although I recall trying to figure out if we could, get the key
12 principals together with the President to get the decision made. We
13 quickly determined they were all over the place and some of them were
14 on vacation. So the next opportunity really would be Warsaw.

15 Q And did that opportunity arise in Warsaw?

16 A No.

17 Q Because the President didn't go?

18 A Correct.

19 Q And you also testified earlier that Ambassador Bolton did
20 have a one-on-one meeting with the President related to Ukraine
21 security assistance. Is that right?

22 MS. VAN GELDER: He never -- he never --

23 MR. GOLDMAN: He never answered. All right.

24 BY MR. GOLDMAN:

25 Q Did the President have a meeting with Ambassador Bolton, a

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1 one-on-one meeting, related to Ukraine security assistance?

2 A Yes.

3 Q When was that meeting?

4 A I don't recall exactly.

5 Q Before Warsaw?

6 A No, I don't think so.

7 Q After Warsaw?

8 A Well, so excuse me. It was before Warsaw. I hesitated
9 because I believe it was -- I believe it was also before Bedminster.

10 Q Oh, it was before Bedminster.

11 A Yes.

12 Q Okay. And can you describe for us whether there was a change
13 of course in your duties that flowed from that meeting? Were there
14 any instructions for you that flowed from that meeting?

15 A I was told to continue to look for opportunities to get the
16 principals together to have the direct, in-person conversation with
17 the President about this topic.

18 Q Did you understand, at that point, that the President was
19 open to releasing the security assistance, based on what you understood
20 occurred at that meeting?

21 A Ambassador Bolton's one-on-one meeting with the
22 President --

23 Q Yes.

24 A -- sometime prior to Bedminster?

25 Q Right.

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1 [Discussion off the record.]

2 MR. MORRISON: The President was not yet ready to approve the
3 release of the assistance.

4 BY MR. GOLDMAN:

5 Q And did you understand what the reason that he had was? Did
6 you have an understanding of that?

7 A I only --

8 Q From Ambassador Bolton?

9 A The extent of my recollection is that Ambassador Bolton
10 simply said he wasn't ready to do it.

11 Q Did you have any discussions with Ambassador Bolton about
12 any concerns that he had about the alternative process that you've been
13 describing here today?

14 A So there was the general concern Ambassador Bolton had about
15 Ambassador Sondland -- general, not specific to Ukraine. And there
16 was the specific concern we both shared about what we understood
17 Ambassador Sondland chiefly to be doing, about which my consistent
18 direction from Ambassador Bolton was, "Do not get involved, and make
19 sure the lawyers are tracking."

20 Q Do you recall the first time that you spoke to Ambassador
21 Bolton about that specific issue related to Ukraine?

22 A I believe it would've been around the 7 August -- was it 7
23 August? -- 7 August phone call.

24 Q With Ambassador Taylor?

25 A Ambassador Sondland. When did I -- I had an early -- what

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1 was the conversation I had with Ambassador Sondland?

2 [Discussion off the record.]

3 MR. MORRISON: So there was the general admonition from
4 Ambassador Bolton when I first took over and I told him about my first
5 non-Ukraine conversation with Ambassador Sondland, where he said, just
6 essentially, ignore him, don't talk to him.

7 And there was -- on Ukraine, the first conversation I would've
8 had with Ambassador Bolton about what Ambassador Sondland was doing
9 would've been on -- it was the September 1 call. And then, again, I
10 went over to his office after the September 7th call. So that's what
11 I'm trying to keep straight in my head.

12 BY MR. GOLDMAN:

13 Q So, even after you had the conversation with Kurt Volker in
14 your office on August 2nd, you didn't speak to Ambassador Bolton about
15 the topic of Ambassador Sondland and his efforts for a month?

16 A Not -- yeah, not yet.

17 Q Did you have any conversations with Ambassador Bolton about
18 his concerns about Rudy Giuliani or any concerns about Rudy Giuliani?

19 A No.

20 Q Did the names Igor Fruman and Lev Parnas ever come across
21 your desk?

22 A Not across mine, no.

23 Q Did John Eisenberg relay any concerns to you about this sort
24 of alternative process that we've been discussing here today? Or let
25 me put it this way: Did John Eisenberg ever relay to you any concerns

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1 about this pressure for these investigations?

2 A No.

3 Q Any concerns about -- did you discuss with him any concerns
4 about Ambassador Sondland and his efforts?

5 A Yes. Certainly after the 1 September phone call.
6 Certainly after the 7 September phone call.

7 Q Uh-huh. And what concerns did he raise, did he express to
8 you?

9 A I don't know that he -- I don't know that he relayed concerns
10 to me. I think it was more of a one-way briefing, one-way conversation.

11 Q He took it in?

12 A Yes.

13 Q Did he take notes?

14 A I don't recall. Sometimes I can recall him taking notes on
15 conversations we had; sometimes not. I think he was kind of like me,
16 in the case that he typically took notes when there was an action he
17 needed to take.

18 Q You said earlier that he indicated that the transfer of the
19 MEMCON to the highly classified system was a mistake. Do you know if
20 it was taken off of that system after that discussion that you had with
21 him?

22 A As of the third week of September, it was not -- it had not
23 been taken off.

24 Q Do you know why?

25 A No.

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1 Q Did you suggest that it be put back on the normal system with
2 restricted access?

3 A I don't know that I affirmatively suggested it. I think I
4 assumed that it would be moved down when we discovered that it was put
5 there by mistake.

6 Q Are you not able to restrict access, yourself, on the normal
7 portal?

8 A No. That's a function of the Executive Secretary. They
9 control those permissions.

10 Q But would you be able to direct the Executive Secretary to
11 restrict access?

12 A Yes.

13 Q So why didn't you just do that?

14 A I think I was looking for, sort of, a second opinion that
15 I was not overreacting.

16 Q In what way would you be overreacting?

17 A I guess I don't want to speculate. I just -- I thought it
18 appropriate to make sure they agreed with me that this was the kind
19 of thing that merited a more restricted access.

20 Q And I think my last question. I don't know if -- Chairman
21 Schiff may have a couple more. But do you know, during your tenure
22 at the NSC, whether the National Security Council ever provided any
23 information or material related to this Burisma bucket of
24 investigations to the President?

25 A I am not aware of any NSC material being provided to the

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1 President on this topic.

2 MS. VAN GELDER: "On this topic," you mean?

3 MR. MORRISON: The Burisma bucket.

4 BY MR. GOLDMAN:

5 Q Sorry. Did you say non-NSC material, or did you say NSC
6 material?

7 A If I did, I misspoke. I am not aware of any NSC material
8 being provided to the President on this topic.

9 Q And are you aware of any other material that has ever been
10 provided to the President on this topic?

11 A No. Well, with the potential exception of -- I'm not
12 necessarily aware, but one could speculate about what Ambassador
13 Sondland was providing the President. I mean, he pre-briefed him for
14 this July 25th call.

15 Q Right. Or Rudy Giuliani, for example.

16 A So I don't have any -- I don't have any knowledge of any
17 Giuliani-POTUS engagements. I said earlier I could speculate that
18 they did, because he's the President's personal attorney, but --

19 MR. GOLDMAN: Right. Okay.

20 THE CHAIRMAN: I just have a couple questions.

21 In the one-on-one meeting between Mr. Bolton and the President,
22 did the topic of the Burisma bucket of issues come up?

23 MR. MORRISON: Not that Ambassador Bolton discussed with me.

24 THE CHAIRMAN: And in the Bedminster principals meeting, do you
25 know whether anyone in that meeting brought up what you've described

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1 as the Burisma bucket of issues?

2 MR. MORRISON: Mr Chairman, not that I was ever informed.

3 THE CHAIRMAN: Okay.

4 Any other questions from Members?

5 Any questions from the minority?

6 MR. CASTOR: We're good. Thank you, sir.

7 THE CHAIRMAN: Well, we are remarkably on time, which, I have to
8 say, I'm shocked. Well, 10 minutes late, but by congressional time,
9 we're at least an hour early.

10 Mr. Morrison, thank you for your testimony today.

11 MR. MORRISON: Thank you, sir.

12 THE CHAIRMAN: And you are excused. And I know we have some other
13 business, I think, that Mr. Jordan wanted to raise, but thank you for
14 your testimony, and happy Halloween.

15 MR. MORRISON: Thank you, Chairman.

16 [Whereupon, at 4:09 p.m., the deposition was concluded.]

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