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IMPEACHMENT INQUIRY: AMBASSADOR KURT VOLKER AND TIMOTHY MORRISON

Tuesday, November 19, 2019

U.S. House of Representatives,

Permanent Select Committee on Intelligence,

Washington, D.C.

The committee met, pursuant to call, at 3:25 p.m., in Room 1100, Longworth House Office Building, the Honorable Adam Schiff (chairman of the committee) presiding.

Present: Representatives Schiff, Himes, Sewell, Carson, Speier, Quigley, Swalwell, Castro, Heck, Welch, Maloney, Demings, Krishnamoorthi, Nunes, Conaway, Turner, Wenstrup, Stewart, Stefanik, Hurd, Ratcliffe, and Jordan.

The Chairman. The committee will come to order. Good afternoon. This is the fourth in a series of public hearings the committee will be holding as part of the House of Representatives impeachment inquiry.

Without objection, the chair is authorized to declare a recess of the committee at any time. There is a quorum present.

We will proceed today in the same fashion as our other hearings. I'll make an opening statement and then the ranking member will have an opportunity to make his opening statement, and we will turn to our witnesses for opening statements and then to questions.

With that, I now recognize myself to give an opening statement in the impeachment inquiry into Donald J. Trump, the 45th President of the United States.

This afternoon, we will hear from two witnesses requested by the minority, Ambassador Kurt Volker, the State Department special representative for Ukraine negotiations, and Tim Morrison, the senior -- former senior director for European affairs at the National Security Council. I appreciate the minority's request for these two important witnesses, as well as Under Secretary of State David Hale, from whom we will hear tomorrow.

As we have heard from other witnesses, when Joe Biden was considering whether to enter the race for the presidency in 2020, the President's personal lawyer, Rudy Giuliani, began a campaign to weaken Vice President Biden's candidacy by pushing Ukraine to investigate him and his son. To clear away any obstacle to the scheme, days after the new Ukrainian President was elected Trump ordered the recall of Marie Yovanovitch, the American ambassador in Kyiv, who was known for pushing anti-corruption efforts.

Trump also canceled Vice President Mike Pence's participation in the inauguration of President Zelensky on May 20, and instead, sent a delegation headed by Energy Secretary Rick Perry, Ambassador to the EU, Gordon Sondland, and Ambassador Kurt Volker.

These three returned from Kyiv and briefed President Trump on their encouraging first interactions with the new Ukrainian administration. Hopes that Trump would agree to an early meeting with the Ukrainian President were soon diminished, however, when Trump pushed back. According to Volker, he just didn't believe it. He was skeptical. And he also said, that's not what I hear. I hear, you know, he has got some terrible people around him.

President Trump also told them he believed that Ukraine tried to take him down. He told the Three Amigos, talk to Rudy. And they did. One of those interactions took place a week before the July 25th phone call between Trump and Zelensky when Ambassador Volker had breakfast with Rudy Giuliani at the Trump Hotel. Volker testified that he pushed back on Giuliani's accusation against Joe Biden.

On July 22, just days before Trump would talk to Zelensky, Ambassador Volker had a telephone conference with Giuliani and Andriy Yermak, a top adviser to the Ukrainian President, so that Giuliani could be introduced to Yermak.

On July 25, the same day as the call between President Trump and Zelensky, but before it took place, Ambassador Volker sent a text message to Yermak: Quote, Heard from the White House. Assuming President Z convinces Trump he will investigate/get to the bottom of what happened in 2016, we will nail down date for a visit to Washington. Good luck! Exclamation point.

Later that day, Donald Trump would have the now infamous phone call with Zelensky in which he responded to Ukraine's appreciation for U.S. defense support and a

request by President Zelensky to buy more Javelin antitank missiles by saying, I would like you to do us a favor, though. And the favor involved the two investigations that Giuliani had been pushing for into the Bidens and 2016.

Ambassador Volker was not on the call, but when asked about what it reflected, he testified, no President of the United States should ask a foreign leader to help interfere in a U.S. election.

Among those listening in on the July 25 call was Tim Morrison, who had taken over as the NSC's senior director for European affairs at the NSC only days before, but had been briefed by his predecessor, Fiona Hill, about the irregular second channel that was operating in parallel to the official one.

Lieutenant Colonel Vindman and Ms. Williams, from whom we heard this morning, like them, Morrison emerged from the call troubled. He was concerned enough about what he heard on the July 25 call that he went to see the NSC legal adviser soon after it had ended.

Colonel Vindman's fear was that the President had broken the law potentially, but Morrison said of his concern that -- his concern was that the call could be damaging if it were leaked. Soon after this discussion with lawyers at the NSC, the call record was hidden away on a secure server used to store highly classified intelligence, where it remained until late September when the call record was publicly released.

Following the July 25 call, Ambassador Volker worked with Sondland and the Ukrainian President's close adviser, Yermak, on a statement that would satisfy Giuliani. When Yermak sent over a draft that still failed to include the specific words "Burisma" and "2016," Giuliani said the statement would lack credibility. Ambassador Volker then added both "Burisma" and "2016" to the draft statement.

Both Volker and Morrison were, by late July, aware that the security assistance

had been cut off at the direction of the President and Acting White House Chief of Staff, Mick Mulvaney. As the Ukrainians became aware of the suspension of the security assistance and the negotiations over the scheduling of a White House meeting between Trump and Zelensky dragged on, the pressure increased and any pretense that there was no linkage soon dropped away.

Morrison accompanied Vice President Pence to Warsaw on September 1st, where Pence and Zelensky met, and Zelensky raised the suspended security assistance. Following that meeting, Sondland approached Yermak to tell him that he believed that what could help move the aid was if the Ukrainian prosecutor general would go to the mic and announce that he was opening the Burisma investigation.

On September 7, Ambassador Sondland had a telephone call with Trump and asked him what he wanted from Ukraine. According to Morrison, who spoke with Sondland after the call, Trump insisted that there was no quid pro quo, but President Zelensky must personally announce the opening of the investigations and he should want to do it.

Sondland also said that if President Zelensky didn't agree to make a public statement about the investigations, U.S. and Ukraine would be at a stalemate, meaning it would not receive the much-needed security assistance.

Morrison had a sinking feeling after the call, as he realized that the ask was now being directed at Zelensky himself, and not the prosecutor general as Sondland had relayed to his senior Ukrainian aide in Warsaw on September 1.

While President Trump claimed there was no quid pro quo, his insistence that Zelensky himself must publicly announce the investigations or they would be at a stalemate made clear that at least two official acts, White House meeting and \$400 million in military aid, were conditioned on receipt of what Trump wanted,

investigations to help his campaign.

The efforts to secure the investigations would continue for several more days, but appear to have abruptly ended soon after the three committees of Congress announced an investigation into the Trump-Guiliani-Ukraine scheme. Only then would the aid be released.

I now recognize Ranking Member Nunes for any remarks he would like to make.

Mr. Nunes. Welcome back to act two of today's circus, ladies and gentlemen. We are here to continue what the Democrats tell us is a serious, somber, and even prayerful process of attempting to overthrow a duly-elected President.

If they're successful, the end result would be to disenfranchise tens of millions of Americans who thought the President is chosen by the American people, not by 13 Democrat partisans on a committee that's supposed to be overseeing the government's intelligence agencies.

And isn't it strange how we've morphed into the impeachment committee, presiding over a matter that has no intelligence component whatsoever. Impeachment, of course, is the jurisdiction of the Judiciary Committee, not the Intelligence Committee.

But putting this farce in our court provides two main advantages for the Democrats: It made it easier for them to shroud their depositions in secrecy, and it allowed them to avoid giving too big of a role in this spectacle to another Democrat committee chairman, in whom the Democrat leaders obviously have no confidence.

Who can possibly view these proceedings as fair and impartial? They are being conducted by Democrats who spent 3 years saturating the airwaves with dire warnings that President Trump is a Russian agent. And these outlandish attacks continue to this very day.

Just this weekend, in front of a crowd of Democratic party activists, the chairman

of this committee denounced President Trump as a profound threat to our democracy and vowed that we will send that charlatan in the White House back to the golden throne he came from.

How can anyone believe that people who would utter such dramatic absurdities are conducting a fair impeachment process and are only trying to discover the truth? It's obvious the Democrats are trying to topple the President solely because they despise him, because they've promised since Election Day to impeach him, and because they're afraid he will win reelection next year.

No witnesses have identified any crime or impeachable offense committed by the President, but that doesn't matter. Last week, the Democrats told us his infraction was asking for a quid pro quo. This week, it's bribery. Who knows what ridiculous crime they'll be accusing him of next week?

As witnesses, the Democrats have called a parade of government officials who don't like President Trump's Ukraine policy, even though they acknowledge he provided Ukraine with lethal military aid after the Obama administration refused to do so.

They also resent his conduct of policy through channels outside their own authority and control. These actions, they argue, contradict the so-called interagency consensus. They don't seem to understand that the President alone is constitutionally vested with the authority to set the policy. The American people elect the President, not an interagency consensus.

And, of course, our previous witnesses had very new -- very little new information to share in these hearings. That's because these hearings are not designed to uncover new information. They're meant to showcase a hand-picked group of witnesses, who the Democrats determined through their secret audition process, will provide testimony most conducive and conducive to their accusations.

In fact, by the time any witness says anything here, people are actually hearing it for the third time. They heard it first through the Democrats' cherry-picked leaks to their media sympathizers during the secret depositions; and second, when the Democrats published those deposition transcripts in a highly staged manner.

Of course, there are no transcripts from crucial witnesses like Hunter Biden, who could testify about his well-paying job on the board of a corrupt Ukrainian company, or Alexandra Chalupa, who worked on an election meddling scheme with Ukrainian officials on behalf of the Democratic National Committee and the Clinton campaign. That's because the Democrats refused to let us hear from them.

As for evidence, we're left with -- what we're left with is the transcript of the Trump-Zelensky phone call, which the President made public. That means Americans can read for themselves an unremarkable conversation with President Zelensky, who repeatedly expressed satisfaction with the call afterward.

The Democrats, however, claim President Zelensky was being bribed, and therefore, he must be lying when he says the call was friendly and posed no problems.

There's some irony here. For weeks, we've heard the Democrats bemoan the damage President Trump supposedly caused to the U.S.-Ukrainian relations. But when the Ukrainian President contradicts their accusations, they publicly dismiss him as a liar. I may be wrong, but I'm fairly sure calling a friendly foreign President, newly elected, a liar, violates their so-called interagency consensus.

So, overall, the Democrats would have you believe President Zelensky was being blackmailed with a pause on lethal military aid that he didn't even know about, that President Trump did not mention to him, and that diplomats have testified they always assumed would be lifted, which it was, without the Ukrainians undertaking any of the actions they were supposedly being coerced into doing.

This process is not serious, it's not sober, and it is certainly not prayerful. It's an ambitious attack to deprive the American people of their right to elect a President the Democrats don't like. As I mentioned, the chairman of this committee claims that democracy is under threat. If that's true, it's not the President who poses the danger.

I yield back.

The Chairman. I thank the gentleman.

We are joined this afternoon by Ambassador Kurt Volker and Mr. Timothy Morrison. Ambassador Kurt Volker served in the U.S. Foreign Service for nearly 30 years, working on European and Eurasian political and security issues under five different presidential administrations. During the George W. Bush administration, he served as the Acting Director for European and Eurasian Affairs in the National Security Council, and later, as the Deputy Assistant Secretary of State for European and Eurasian affairs.

In 2008, President Bush appointed Ambassador Volker to the United States permanent representative to NATO, where he served until May 2009. In July 2017, Ambassador Volker was appointed to be the U.S. special representative for Ukraine negotiations serving in that position until he resigned in September.

It is a pleasure to welcome Mr. Morrison back to the legislative branch, where he served for almost two decades as a Republican staffer. He was a professional staff member for Representative Mark Kennedy of Minnesota, and Senator Jon Kyl of Arizona. Later, Mr. Morrison served as the longtime policy director for the Republican staff of the House Armed Services Committee.

In July 2018, Mr. Morrison joined the National Security Council as senior director for countering weapons of mass destruction. Following the departure of Dr. Fiona Hill in July 2019, Mr. Morrison assumed the position of senior director for Russia and Europe.

Two final points before the witnesses are sworn: First, witness depositions as part of this inquiry were unclassified in nature, and all open hearings will also be held at the unclassified level. Any information that may touch on classified information will be addressed separately.

Second, Congress will not tolerate any reprisal, threat of reprisal, or attempt to retaliate against any U.S. Government official testifying before Congress, including you or of any of your colleagues.

If you would both please rise and raise your right hand, I will begin by swearing you in. Do you swear or affirm that the testimony you're about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Morrison. I do.

Ambassador Volker. I so swear.

The Chairman. Let the record show that the witnesses answered in the affirmative. Thank you, and please be seated. Microphones are sensitive, so please speak directly into them. Without objection, your written statements will also be made part of the record.

With that, Mr. Morrison, you are recognized for your opening statement, and immediately thereafter, Ambassador Volker, you're recognized for your opening statement.

Mr. Morrison. Chairman Schiff, Ranking Member Nunes, and members of the committee, I appear before you today under subpoena to answer your questions about my time as senior director for European Affairs at the White House and the National Security Council, as related to Ukraine and U.S. security sector assistance to that country.

I will provide you the most complete and accurate information I can, consistent with my obligations to protect classified and privileged information. Whether the

conduct that is the subject of this inquiry merits impeachment is a question for the U.S. House of Representatives. I appear here today only to provide factual information, based upon my knowledge and recollection of events.

I will not waste time restating the details of my opening statement from my deposition on October 31, 2019, which has recently been made public. However, I will highlight the following key points: First, as I previously stated, I do not know who the whistleblower is, nor do I intend to speculate as to who the individual may be.

Second, I have great respect for my former colleagues from the NSC and the rest of the interagency. I am not here today to question their character or integrity. My recollections and judgments are my own. Some of my colleagues' recollections of conversations and interactions may differ from mine, but I do not view those differences as the result of an untoward purpose.

Third, I continue to believe Ukraine is on the front lines of a strategic competition between the West and Vladimir Putin's revanchist Russia. Russia is a failing power, but it is still a dangerous one. The United States aids Ukraine and her people so that they can fight Russia over there, and we don't have to fight Russia here. Support for Ukraine's territorial integrity and sovereignty has been a bipartisan objective since Russia's military invasion in 2014. It must continue to be.

As I stated during my deposition, I feared at the time of the call on July 25 how its disclosure would play in Washington's political climate. My fears have been realized. I understand the gravity of these proceedings, but I beg you not to lose sight of the military conflict underway in eastern Ukraine today, the ongoing illegal occupation of Crimea, and the importance of reform of Ukraine's politics and economy. Every day that the focus of discussion involving Ukraine is centered on these proceedings instead of those matters is a day when we are not focused on the interest of Ukraine, the United States, and

Western-style liberalism share.

Finally, I concluded my act of service at the National Security Council the day after I last appeared before you. I left the NSC completely of my own volition. I felt no pressure to resign, nor have I feared any retaliation for my testimony. I made this career choice sometime before I decided to testify on October 31. I am prepared to answer your questions to the best of my ability and recollection.

The Chairman. Thank you.

[The statement of Mr. Morrison follows:]

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The Chairman. Ambassador Volker.

Ambassador Volker. Thank you very much, Mr. Chairman, Ranking Member. Thank you very much for the opportunity to provide this testimony today.

As you know, I was the first person to come forward to testify as part of this inquiry. I did so voluntarily, and likewise, voluntarily provided relevant documentation in my possession in order to be as cooperative, clear, and complete as possible.

I am here today voluntarily, and I remain committed to cooperating fully and truthfully with this committee. All I can do is provide the facts as I understood them at the time. I did this on October 3 in private, and I will do so again today.

Like many others who have testified in this inquiry, I'm a career foreign policy professional. I began my career as an intelligence analyst for Northern Europe for the Central Intelligence Agency in 1986 before joining the State Department in 1988. I served in diplomatic postings primarily focused on European political and security issues for over 20 years under Presidents Ronald Reagan, George H.W. Bush, Bill Clinton, George W. Bush, and Barack Obama.

My last three positions before leaving the senior Foreign Service in 2009 were as director for NATO and West European affairs at the National Security Council, Principal Deputy Assistant Secretary of State for European affairs at the State Department, and finally, as U.S. Ambassador to NATO.

In the spring of 2017, then-Secretary of State Tillerson asked if I would come back to government service as U.S. special representative for Ukraine negotiations. I did this on a part-time, voluntary basis with no salary paid by the U.S. taxpayer, simply because I believed it was important to serve our country in this way. I believed I could steer U.S. policy in the right direction.

For over 2 years, as U.S. special representative for Ukraine negotiations, my singular focus was advancing the foreign policy and national security interests of the United States. In particular, that meant pushing back on Russian aggression, and supporting the development of a strong, resilient, democratic, and prosperous Ukraine, one that overcomes a legacy of corruption, and becomes integrated into a wider, transatlantic community.

This is critically important for U.S. national security. If we could stop and reverse Russian aggression in Ukraine, we can prevent it elsewhere. If Ukraine, the cradle of Slavic civilization predating Moscow, succeeds as a freedom-loving, prosperous, and secure democracy, it gives us enormous hope that Russia may one day change providing a better life for Russian people and overcoming its current plague of authoritarianism, corruption, aggression toward neighbors, and threats to NATO and the United States. The stakes for the United States in a successful Ukraine could not be higher.

At no time was I aware of, or knowingly took part, in an effort to urge Ukraine to investigate former Vice President Biden. As you know from the extensive real-time documentation I have provided, Vice President Biden was not a topic of our discussions. I was not on the July 25 phone call between President Trump and President Zelensky. I was not made aware of any reference to Vice President Biden or his son by President Trump, until the transcript of that call was released on September 25, 2019.

From July 7, 2017, until September 27, 2019, I was the lead U.S. diplomat dealing with Russia's war on Ukraine. My role was not some irregular channel but the official channel. I reported directly to Secretaries of State Tillerson and Pompeo, kept the National Security Advisor and Secretary of Defense well-informed of my efforts, and worked closely with Ambassador Masha Yovanovitch, NSC Senior Director Hill and her successor Tim Morrison, then-Assistant Secretary Wess Mitchell and his successor Acting

Assistant Secretary Phil Reeker, Deputy Assistant Secretary George Kent, Deputy Assistant Secretary of Defense Laura Cooper, NSC Director Alex Vindman, and many, many others. I have known many of them for several years. It was a team effort.

When Ambassador Yovanovitch left Kyiv, I identified and recommended Bill Taylor to Secretary Pompeo, so we would still have a strong, seasoned professional on the ground.

For 2 years before the events at the heart of this investigation took place, I was the most senior U.S. diplomat visiting the conflict zone, meeting with victims of Russia's aggression, urging increased U.S. security assistance, including lethal defensive weapons; working with Ukrainian President Poroshenko, and then his successor President Zelensky and their teams; working with France and Germany and the so-called Normandy process; pressing for support from NATO, the EU, and OSCE; supporting the OSCE's special monitoring mission; and engaging in negotiations and other contacts with Russian officials.

At the time I took the position in the summer of 2017, there were major complicated questions swirling in public debate about the direction of U.S. policy toward Ukraine. Would the administration lift sanctions against Russia? Would it make some kind of grand bargain with Russia in which it would trade recognition of Russia's seizure of Ukrainian territory for some other deal in Syria or elsewhere?

Would the administration recognize Russia's claimed annexation of Crimea? Will this just become another frozen conflict? There were also a vast number of vacancies in key diplomatic positions, so no one was really representing the United States in the negotiating process about ending the war in Eastern Ukraine.

During over 2 years of my tenure as U.S. special representative, we fundamentally turned U.S. policy around. U.S. policy towards Ukraine was strong, consistent, and

enjoyed support across the administration, bipartisan support in Congress, and support among our allies and Ukraine.

We changed the language commonly used to describe Russia's aggression. I was the administration's most outspoken public figure highlighting Russia's invasion and occupation of parts of Ukraine, calling out Russia's responsibility to end the war.

I visited the war zone three times meeting with soldiers and civilians alike, always bringing media with me to try to raise the public visibility of Russia's aggression, and the humanitarian impact on the lives of the citizens of the Donbas. We coordinated closely with our European allies in Canada to maintain a united front against Russian aggression, and for Ukraine's democracy, reform, sovereignty, and territorial integrity.

Ukraine policy is perhaps the one area where the U.S. and its European allies had been in lockstep. This coordination helped to strengthen U.S. sanctions against Russia, and to maintain EU sanctions as well.

Along with others in the administration, I strongly advocated for lifting the ban on the sale of lethal defensive weapons -- or lethal defensive arms to Ukraine, advocated for increasing U.S. security assistance to Ukraine, and urged other countries to follow suit.

My team and I drafted the Pompeo declaration of July 25, 2018, in which the Secretary clearly and definitively laid out the U.S. policy of nonrecognition of Russia's claimed annexation of Crimea.

I engaged with our allies, with Ukraine, and with Russia in negotiations to implement the Minsk agreements holding a firm line on insisting on the withdrawal of Russian forces, dismantling of the so-called People's Republic, and restoring Ukrainian sovereignty and territorial integrity.

Together with others in the administration, we kept U.S. policy steady through presidential and parliamentary elections in Ukraine, and worked hard to strengthen the

U.S.-Ukraine bilateral relationship under the new President and government, helping shepherd in a peaceful transition of power in Ukraine.

So in short, whereas 2 years ago most observers would have said that time is on Russia's side, by 2019, when I departed, we had turned the tables, and time was now on Ukraine's side. It's a tragedy for the United States and for Ukraine that our efforts in this area, which were bearing fruit, have now been thrown into disarray.

One of the critical aspects of my role as U.S. special representative was that as the most senior official appointed to work solely on the Ukraine portfolio, I needed to step forward to provide leadership. If we needed to adopt a policy position, I made the case for it.

If we needed to -- if anyone needed to speak out publicly, I would do it. When we failed to get a timely statement about Russia's illegal attack on Ukraine's Navy and seize of Ukraine sailors, I tweeted about it in order to condemn the act. If a problem arose, I knew it was my job to try to fix it.

That was my perspective when I learned in May 2019 that we had a significant problem that was impeding our ability to strengthen our support for Ukraine's new President in his effort to ramp up Ukraine's fight against corruption and implementation of needed reforms. I found myself faced with a choice: to be aware of a problem and to ignore it, or to accept that it was my responsibility to try to fix it. I tried to fix it.

The problem was that despite the unanimous positive assessment and recommendations of those of us who were part of the U.S. presidential delegation that attended the inauguration of President Zelensky, President Trump was receiving a different negative narrative about Ukraine and President Zelensky. That narrative was fueled by accusations from Ukraine's then-prosecutor general, and conveyed to the President by former Mayor Rudy Giuliani.

As I previously told this committee, I became aware of the negative impact this was having on our policy efforts when four of us, who were part of the presidential delegation to the inauguration, met as a group with President Trump on May 23. We stressed our finding that President Zelensky represented the best chance for getting Ukraine out of the mire of corruption it had been in for over 20 years. We urged him to invite President Zelensky to the White House.

The President was very skeptical. Given Ukraine's history of corruption, that's understandable. He said that Ukraine was a corrupt country, full of terrible people. He said, "They tried to take me down." In the course of that conversation, he referenced conversations with Mayor Guiliani.

It was clear to me that despite the positive news and recommendations being conveyed by this official delegation about the new President, President Trump had a deeply rooted negative view on Ukraine rooted in the past. He was receiving other information from other sources, including Mayor Guiliani, that was more negative, causing him to retain this negative view.

Within a few days, on May 29, President Trump, indeed, signed the congratulatory letter to President Zelensky, which included an invitation to the President to visit him at the White House. However, more than 4 weeks passed, and we could not nail down a date for the meeting. I came to believe that the President's long-held negative view toward Ukraine was causing hesitation in actually scheduling the meeting, much as we had seen in our Oval Office discussion.

After weeks of reassuring the Ukrainians that it was just a scheduling issue, I decided to tell President Zelensky that we had a problem with the information reaching President Trump from Mayor Guiliani. I did so in a bilateral meeting at a conference on Ukrainian economic reform in Toronto on July 2, 2019, where I led the U.S. delegation.

I suggested that he call President Trump directly in order to renew their personal relationship and to assure President Trump that he was committed to investigating and fighting corruption, things on which President Zelensky had based his presidential campaign. I was convinced that getting the two Presidents to talk with each other would overcome the negative perception of Ukraine that President Trump still harbored.

President Zelensky's senior aide, Andriy Yermak, approached me several days later to ask to be connected to Mayor Giuliani. I agreed to make that connection. I did so because I understood that the new Ukrainian leadership wanted to convince those, like Mayor Giuliani, who believed such a negative narrative about Ukraine, that times have changed, and that under President Zelensky, Ukraine is worthy of U.S. support.

Ukrainians believe that if they could get their own narrative across in a way that convinced Mayor Giuliani that they were serious about fighting corruption and advancing reform, Mayor Giuliani would convey that assessment to President Trump, thus correcting the previous negative narrative. That made sense to me, and I tried to be helpful.

I made clear to the Ukrainians that Mayor Giuliani was a private citizen, the President's personal lawyer, and not representing the U.S. Government. Likewise, in my conversations with Mayor Giuliani, I never considered him to be speaking on the President's behalf, or giving instructions. Rather, the information flow was the other way, from Ukraine to Mayor Giuliani, in the hopes that this would clear up the information reaching President Trump.

On July 10, after hearing from Mr. Yermak, I wrote to Mayor Giuliani to seek to get together. And finally, on July 19, we met for breakfast for a longer discussion. At that meeting, I told Mr. Giuliani that in my view, the prosecutor general with whom he had been speaking, Mr. Lutsenko, was not credible, and was acting in a self-serving capacity.

To my surprise, Mayor Giuliani said that he had already come to that same conclusion.

Mr. Giuliani also mentioned both the accusations about Vice President Biden, and about interference in the 2016 election, and stressed that all he wanted to see was for Ukraine to investigate what happened in the past and apply its own laws.

Concerning the allegations, I stressed that no one in the new team governing Ukraine had anything to do with anything that may have happened in 2016. They were making television shows at the time. I also said that it's not credible to me that former Vice President Biden would have been influenced in any way by financial or personal motives in carrying out his duties as Vice President.

A different issue is whether some individual Ukrainians may have attempted to influence the 2016 election, or thought they could buy influence. That is, at least, plausible given Ukraine's reputation for corruption, but the accusation that Vice President Biden acted inappropriately did not seem at all credible to me.

After that meeting, I connected Mayor Giuliani and Mr. Yermak by text and later by phone. They met in person on August 2, 2019. In conversations with me following that meeting, which I did not attend, Mr. Giuliani said that he had stressed the importance of Ukraine conducting investigations into what happened in the past, and Mr. Yermak stressed that he told Mr. Giuliani it is the government's program to root out corruption and implement reforms, and they would be conducting investigations as part of this process anyway.

Mr. Giuliani said he believed the Ukrainian President needed to make a statement about fighting corruption, and that he had discussed this with Mr. Yermak. I said I did not think that this would be a problem, since that is the government's position anyway.

I followed up with Mr. Yermak, and he said that they would, indeed, be prepared to make a statement. He said it would reference Burisma and 2016 in a wider context of

bilateral relations and rooting out corruption anyway. There was no mention of Vice President Biden. Rather, in referencing Burisma and 2016 election interference, it was clear to me that he, Mr. Yermak, was only talking about whether any Ukrainians had acted inappropriately.

At this time, I was focused on our goal of getting President Zelensky and President Trump to meet with each other, and I believed that their doing so would overcome the chronically negative view President Trump had toward Ukraine. I was seeking to solve the problem I saw when we met with President Trump in the Oval Office on May 23.

As a professional diplomat, I was comfortable exploring whether there was a statement Ukraine could make about its own intentions to investigate possible corruption that would be helpful in convincing Mr. Giuliani to convey to President Trump a more positive assessment of the new leadership in Ukraine.

On August 16, Mr. Yermak shared a draft with me, which I thought looked perfectly reasonable. It did not mention Burisma or 2016 elections, but was generic. Ambassador Sondland and I had a further conversation with Mr. Giuliani who said that in his view, in order to be convincing that this government represented real change in Ukraine, the statement should include specific reference to Burisma and 2016. Again, there was no mention of Vice President Biden in these conversations.

Ambassador Sondland and I discussed these points, and I edited the statement drafted by Mr. Yermak to include these points to see how it looked. I then discussed it further with Mr. Yermak. He said that for a number of reasons, including the fact that Mr. Lutsenko was still officially the prosecutor general, they did not want to mention Burisma or 2016. I agreed and the idea of putting out a statement was shelved.

These were the last conversations I had about this statement, which were on or

about August 17 to 18. My last contact with Mr. Giuliani, according to my records, was on August 13 until he tried to reach me on September 20 after the impeachment inquiry was launched. At this time, that is to say, in the middle of August, I thought the idea of issuing this statement had been definitively scrapped.

In September, I was surprised to learn that there had been further discussions with the Ukrainians about President Zelensky possibly making a statement in an interview with U.S. media similar to what we had discussed in August. Since these events, and since I gave my testimony on October 3, a great deal of additional information and perspectives have come to light. I've learned many things that I did not know at the time of the events in question.

First, at the time I was connecting Mr. Yermak and Mr. Giuliani, and discussing with Mr. Yermak and Ambassador Sondland a possible statement that could be made by the Ukrainian President, I did not know of any linkage between the hold on security assistance and Ukraine pursuing investigations. No one had ever said that to me, and I never conveyed such a linkage to the Ukrainians.

I opposed the hold on U.S. security assistance as soon as I learned about it on July 18, and I thought we could turn it around before the Ukrainians ever knew, or became alarmed about it. I did not know the reason for the hold, but I viewed it as a U.S. policy problem that we needed to fix internally, and I was confident we would do so.

I believe the Ukrainians became aware of the hold on August 29 and not before. That date is the first time any of them asked me about the hold by forwarding an article that had been published in Politico.

When I spoke to the Ukrainians about the hold after August 29, instead of telling them that they needed to do something to get the hold released, I told them the opposite, that they should not be alarmed, it was an internal U.S. problem, and we were

working to get it fixed. I did not know others were conveying a different message to them around the same time.

Second, I did not know about the strong concerns expressed by then-National Security Advisor John Bolton to members of his NSC staff regarding the discussion of investigations. I participated in the July 10 meeting between National Security Advisor Bolton, and then-Ukrainian Chairman of the National Security and Defense Council, Alex Danylyuk.

As I remember, the meeting was essentially over when Ambassador Sondland made a general comment about investigations. I think all of us thought it was inappropriate. The conversation did not continue, and the meeting concluded. Later on in the Ward Room, I may have been engaged in a side conversation, or had already left the complex, because I do not recall further discussion regarding investigations or Burisma.

Third, I did not understand that others believed that any investigation of the Ukrainian company Burisma, which had a history of accusations of corruption, was tantamount to investigating Vice President Biden. I drew a sharp distinction between the two. It has long been U.S. policy under multiple administrations, to urge Ukraine to investigate and fight internal corruption.

I was quite comfortable with Ukraine making its own statement about its own policy of investigating and fighting corruption at home. At the one in-person meeting I had with Mayor Giuliani on July 19, Mayor Giuliani raised, and I rejected, the conspiracy theory that Vice President Biden would have been influenced in his duties as Vice President by money paid to his son. As I previously testified, I have known Vice President Biden for 24 years. He is an honorable man, and I hold him in the highest regard.

At no time was I aware of, or knowingly took part in an effort to urge Ukraine to investigate former Vice President Biden. And as you know from the extensive documentation I've provided, Vice President Biden was not a topic of discussion. I was not on the July 25 phone call between President Trump and President Zelensky, and I was not made aware of any reference to Vice President Biden, or his son by President Trump, until the transcript of that call was released on September 25, 2019.

Throughout this time, I understood that there was an important distinction between Burisma and Biden, and I urged the Ukrainians to maintain such a distinction. I did not know that President Trump or others had raised Vice President Biden with the Ukrainians or had conflated the investigation of possible Ukrainian corruption with investigations of former Vice President. In retrospect, for the Ukrainians, it would clearly have been confusing.

In hindsight, I now understand that others saw the idea of investigating possible corruption involving the Ukrainian company Burisma as equivalent to investigating former Vice President Biden. I saw them as very different, the former being appropriate and unremarkable, the latter being unacceptable. In retrospect, I should have seen that connection differently, and had I done so, I would have raised my own objections.

Fourth, much has been made of the term "Three Amigos" in reference to Secretary Perry, Ambassador Sondland, and myself. I've never used that term and frankly cringe when I hear it, because for me, the Three Amigos will always refer to Senator McCain, Senator Lieberman, and Senator Graham in reference to their work to support the surge in Iraq.

Moreover, I was never aware of any designation by President Trump, or anyone else putting Ambassador Sondland or the three of us as a group in charge of Ukraine policy. Rather, as I understood it, each of us in our own respective official capacities,

continued to work together after our attendance of President Zelensky's inauguration, to push for greater U.S. support for Ukraine. Leading the diplomacy around Ukraine negotiations had long been my official responsibility, but I welcomed the added support and influence of a cabinet member and our EU ambassador.

Fifth, I was not aware that Ambassador Sondland spoke with President Trump on July 26, while Ambassador Taylor and I were visiting the conflict zone.

Mr. Chairman, members of the committee, allow me to thank you again for the opportunity to provide this testimony. I believe that U.S. foreign policy and national security interests in Ukraine are of critical importance, and I would be pleased to answer your questions. Thank you.

[The statement of Ambassador Volker follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

The Chairman. I thank you, gentlemen, for your opening statements. We will now proceed to the first round of questions. As detailed in the memo provided to committee members, there will be 45 minutes of questions conducted by the chairman or majority counsel followed by 45 minutes for the ranking member or minority counsel. Following that, unless I specify additional equal time for extended questioning, we'll proceed under the 5-minute rule and every member will have a chance to ask questions.

I now recognize myself or counsel for the first round of questions.

Ambassador Volker, I was going to just yield to the minority counsel, but there are a couple points that you made in your opening statement that I wanted to ask about first. First, you said that now former Attorney General Lutsenko was not credible. Mr. Lutsenko is the author of a number of allegations against Ambassador Yovanovitch, a number of allegations that were shared with John Solomon of The Hill, a number of allegations that have been repeatedly brought up by my Republican colleagues. Why is it that you found Mr. Lutsenko not credible and told Mr. Giuliani so?

Ambassador Volker. Thank you, Mr. Chairman.

First off, the allegations themselves, including those against Ambassador Yovanovitch, did not appear to me to be credible at all. I know her to be an incredibly confident professional, someone I've worked with for many, many years. The suggestions that she was acting in some inappropriate manner were not credible to me. I've known Vice President Biden for a long time. Those accusations were not credible.

And then separate from that, I also was aware of the political situation in Ukraine. We had a situation where President Poroshenko appeared to not be in a favorable position going into the elections where it was increasingly apparent then-candidate Zelensky was going to win.

As is often the case in Ukraine, a change in power would mean change in prosecutorial powers as well, and there have been efforts in the past at prosecuting the previous government.

I think Mr. Lutsenko, in my estimation, and I said this to Mayor Guiliani when I met with him, was interested in preserving his own position. He wanted to avoid being fired by a new government in order to prevent prosecution of himself, possible prosecution of himself. Possibly also this is something that President Poroshenko would have welcomed as well, because he probably would have avoided any efforts to prosecute President Poroshenko as well.

So, by making allegations like this, and making sure they were reaching U.S. media, I think that Mr. Lutsenko was trying to make himself appear to be an important and influential player in the United States.

The Chairman. Ambassador, let me also ask you about the allegations against Joe Biden, because that has been a continuing refrain from some of my colleagues as well. Why was it you found the allegations against Joe Biden related to his son or Burisma not to be believed?

Ambassador Volker. Simply because I've known former Vice President Biden for a long time. I know how he respects his duties of higher office. And it's just not credible to me that a Vice President of the United States is going to do anything other than act as how he sees best for the national interest.

The Chairman. And finally, Ambassador, before I turn it over, I was struck by something you said on page 8 of your statement which reads, "In hindsight, I now understand that others saw the idea of investigating possible corruption involving the Ukrainian company Burisma as equivalent to investigating former Vice President Biden. I saw them as different, the former being appropriate and unremarkable, the latter being

unacceptable. In retrospect, you said, I should have seen that connection differently, and had I done so, I would have raised my own objections."

What is it now, Ambassador, in retrospect, that you recognize that you didn't at the time, that leads you to conclude that you would or should have raised these objections?

Ambassador Volker. Yeah. That others did not see the distinction between these things as I saw it. As I said, there is a history of corruption in Ukraine. There's a history with the company of Burisma that has been investigated. That is well-known. There is a separate allegation about the Vice President acting inappropriately. His son was a board member of this company, but those things I saw as completely distinct.

And what I was trying to do, in working with the Ukrainians, was to thread a needle to see were there things that they can do that are appropriate and reasonable as part of Ukraine's own policy of fighting corruption that help clarify for our President that they are committed to that very effort.

If there's a way to thread that needle, I thought it was worth the effort to try to solve that problem. As it turns out, I now understand that most of the other people didn't see or didn't consider this distinction, that for them it was synonymous.

The Chairman. Well, one of those people who saw it synonymous turns out to be the President of the United States. I take it, you didn't know until the call record was released that the President in that call doesn't raise Burisma, he asked for an investigation of the Bidens. Is that right?

Ambassador Volker. That is correct.

The Chairman. I take it, since you say that you acknowledge that asking for an investigation of the Bidens would have been unacceptable and objectionable, that had the President asked you to get Ukraine to investigate the Bidens, you would have told him

so?

Ambassador Volker. I would have objected to that, yes, sir.

The Chairman. Mr. Goldman.

Mr. Goldman. Thank you, Mr. Chairman.

Just one follow-up on that, Ambassador Volker. When you say "thread the needle," you mean that you understood the relationship between Vice President Biden's son and Burisma, but you were trying to separate the two of them in your mind. Is that right?

Ambassador Volker. Well, I believe that they were separate, that -- and this references the conversation I had with Mr. Giuliani as well, where I think the allegations against Vice President Biden are self-serving and not credible.

A separate question is whether it is appropriate for Ukraine to investigate possible corruption of Ukrainians that may have tried to corrupt things or buy influence. To me, they are very different things, and as I said, I think the former is unacceptable. I think the latter, in this case, is --

Mr. Goldman. Understood. But understood the relationship between Hunter Biden and Burisma?

Ambassador Volker. I knew that he had been a board member of the company, yes.

Mr. Goldman. Let's go back --

Ambassador Volker. That's why it was so important to maintain the distinction.

Mr. Goldman. Let's focus on the July 25 call for a moment. And, Mr. Morrison, July 25 was day number what for you as the senior director overseeing Ukraine?

Mr. Morrison. I officially took over on the 15th, approximately 10 days, very few days actually in the office.

Mr. Goldman. You testified in your deposition that you received an email on the morning of July 25 from Ambassador Sondland shortly before the call. Is that right?

Mr. Morrison. Yes.

Mr. Goldman. And I believe in that email, Ambassador Sondland told you that he had briefed President Trump about -- in advance of the call. Is that right?

Mr. Morrison. Yes.

Mr. Goldman. And you also testified that Ambassador Sondland had told you on another occasion that he could call the President whenever he wanted. Is that right?

Mr. Morrison. Yes.

Mr. Goldman. And on July 25, did you, in fact, make an effort to confirm whether or not the phone call between Ambassador Sondland and President Trump actually occurred?

Mr. Morrison. I did.

Mr. Goldman. And did it happen?

Mr. Morrison. Yes.

Mr. Goldman. On other occasions, when Ambassador Sondland told you that he spoke with President Trump, did you -- on some other occasions, did you also seek confirmation of that fact?

Mr. Morrison. On some, yes.

Mr. Goldman. And on those occasions when you did seek to confirm that they had spoken, what did you find?

Mr. Morrison. They had.

Mr. Goldman. Now, I'm going to pull up a text message on the morning of July 25, between -- well, it should be another one. Oh, yeah. Sorry. Ambassador Sondland with you, Ambassador Volker. And at 7:54 in the morning, Ambassador

Sondland says, "call ASAP." Then at 9:35, Ambassador Volker, you respond.

Is the screen working in front of you or just to the side?

Ambassador Volker. Yeah.

Mr. Goldman. Yeah. So if you could go ahead and read what you said at 9:35.

Ambassador Volker. Yes. So I said, "Hi, Gordon. Got your message. Had a great lunch with Yermak and then passed your message to him. He will see you tomorrow. Think everything is in place."

Mr. Goldman. And who is Yermak?

Ambassador Volker. Andriy Yermak is the senior adviser to President Zelensky of Ukraine.

Mr. Goldman. Now, what was the message that you had received?

Ambassador Volker. That President Zelensky should be clear, convincing, forthright with President Trump about his commitment to fighting corruption, investigating what happened in the past, get to the bottom of things, whatever there is, and that if he does that, President Trump was prepared to be reassured that he would say, yes, come on, let's get this date for this visit scheduled.

Mr. Goldman. And did you understand from that message that Ambassador Sondland had spoken to President Trump?

Ambassador Volker. I wasn't sure whether he had or not. He, as Mr. Morrison just said, said that he does speak with President Trump. I knew that he had conversations in general. I didn't know specifically about one leading up to this.

Mr. Goldman. Now, on the screen in front of you is another text message from you that same morning --

Ambassador Volker. Yes.

Mr. Goldman. -- at 8:36 in the morning to Andriy Yermak.

Ambassador Volker. Yes. I believe because of the time difference this is actually in the afternoon in Ukraine.

Mr. Goldman. In Ukraine.

Ambassador Volker. Right.

Mr. Goldman. And so this is East Coast time, that's right.

Ambassador Volker. Right.

Mr. Goldman. So this is slightly less than a half-hour before the call between President Trump and President Zelensky?

Ambassador Volker. Right.

Mr. Goldman. Can you just read what you wrote there?

Ambassador Volker. Yes. And just after the lunch that I had with Andriy Yermak. "Good lunch. Thanks. Heard from White House. Assuming President Z convinces Trump he will investigate, get to the bottom of what happened in 2016, we will nail down date for visit to Washington. Good luck. See you tomorrow. Kurt."

Mr. Goldman. And does this accurately relay the message that you had received from Ambassador Sondland?

Ambassador Volker. Yes.

Mr. Goldman. Now, Mr. Morrison, did the National Security Council also prepare talking points for President Trump for this call?

Mr. Morrison. The NSC staff did, yes.

Mr. Goldman. And per usual custom, were these talking points based on the official United States policy objectives?

Mr. Morrison. They were.

Mr. Goldman. And since there has been a little bit of dispute about what that means, can you explain how official U.S. policy is determined through the interagency

process?

Mr. Morrison. We operate under what's known as NSPM 4, National Security Presidential Memorandum-4. It's available on the internet. That lays out how the President wants to be provided options for his decision.

Mr. Goldman. And there's an extensive process to finalize any policy. Is that right?

Mr. Morrison. Sometimes.

Mr. Goldman. Mr. Morrison, you listened to this call on the 25th. Is that right?

Mr. Morrison. I did.

Mr. Goldman. Where did you listen from?

Mr. Morrison. The White House Situation Room.

Mr. Goldman. In your deposition, you testified that the call was not what you were hoping to hear. What did you mean by that?

Mr. Morrison. I was hoping for a more full-throated statement of support from the President concerning President Zelensky's reform agenda given where we were at the time with respect to the overwhelming mandate President Zelensky's servant of the party people had received in the Rada election.

Mr. Goldman. And that Rada, which is the Ukrainian parliament, that election had occurred 4 days earlier?

Mr. Morrison. Sounds right.

Mr. Goldman. And President Zelensky's party won in a landslide. Is that right?

Mr. Morrison. They received more than a majority in their own right.

Mr. Goldman. So at least in Ukraine, there was tremendous support for Zelensky's anti-corruption agenda. Is that right?

Mr. Morrison. At the time.

Mr. Goldman. And within the interagency, within the National Security Agencies here in the United States, was there broad support for President Zelensky?

Mr. Morrison. There was broad support for giving President Zelensky a chance.

Mr. Goldman. And to that point, he had shown that he was -- he had at least put his money where his mouth was for the 3 months that he had been in office. Is that right?

Mr. Morrison. Approximately 3 months, yes.

Mr. Goldman. Now, I want to show a couple of excerpts from this call record to each of you. The first is President Trump responding to a comment by President Zelensky related to defense support from the United States and the purchase of Javelins.

And President Trump then says, "I would like you to do us a favor though, because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine. They say CrowdStrike. I guess you have one of your wealthy people, the server, they say Ukraine has it."

Now, if we could go to the next excerpt where President Trump says, "The other thing, there's a lot of talk about Biden's son, that Biden stopped the prosecution and a lot of people want to find out about that. So whatever you can do with the attorney general would be great. Biden went around bragging that he stopped the prosecution, so if you can look into it. It sounds horrible to me."

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

Mr. Morrison. They were not.

Mr. Goldman. And were they consistent with what you understood at that time to be official U.S. policy?

Mr. Morrison. I was not aware of any -- of much of this at the time.

RPTR JOHNSON

EDTR SECKMAN

[4:22 p.m.]

Mr. Goldman. And, in fact, subsequent to this call, you did nothing to implement the investigations that President Trump -- implement the request for the investigations that President Trump asked for. Is that right?

Mr. Morrison. I did not understand any instruction to do so.

Mr. Goldman. And you were not aware of anyone else within your -- you coordinate the interagency process, and you were not aware of anyone else who was doing that either. Is that right?

Mr. Morrison. Correct.

Mr. Goldman. Now, you testified in your deposition that hearing this call confirms what you called the parallel process that your predecessor, Fiona Hill, had warned you about. What did you mean by that?

Mr. Morrison. During the period in which Dr. Hill and I were conducting handoff meetings so that I could be up to speed on the various things that were occurring in the portfolio at the time, she mentioned the traditional NSMP-4 process and the parallel process. And in the context of discussing the parallel process, she mentioned issues like Burisma, which were noteworthy to me at the time, because I had never heard of them before. And upon hearing them in the call, it wound up confirming, okay, there's something here.

Mr. Goldman. And who did she inform you was involved in this parallel process?

Mr. Morrison. As I recall, it was definitely Ambassador Sondland and, I believe, Mr. Giuliani.

Mr. Goldman. And after she informed you of this company Burisma, what, if

anything, did you do to determine what that was?

Mr. Morrison. After that particular handoff meeting, I proceeded to look it up on the internet. I googled it.

Mr. Goldman. And did you find that it had some association with Hunter Biden?

Mr. Morrison. Yes.

Mr. Goldman. Now, Ambassador Volker, you did not listen to this call, but you testified that you were surprised and troubled when you read the call record after it was released on September 25th. And you also said that after reading the call record, it was clear to you that the Biden-Burisma and the 2016 election investigations that President Trump discussed on the call were designed to serve the President's political interests, not the National interests. What did you mean when you said that?

Ambassador Volker. Sir, I don't recall that language from my testimony. It's from my October 3rd testimony?

Mr. Goldman. Yes, it was.

Ambassador Volker. Thank you.

Well, what I do mean by that -- and I'd like to phrase it my own words now -- is I don't think that raising 2016 elections or Vice President Biden or these things I consider to be conspiracy theories that have been circulated by the Ukrainians, particularly the former prosecutor general, are sort of -- they're not things that we should be pursuing as part of our National Security Strategy with Ukraine. We should be supporting Ukraine's democracy, reforms, its own fight against corruption domestically, its struggle against Russia, its defense capabilities. These are the heart of what we should be doing. And I don't think pursuing these things serves a National interest.

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

Is that right?

Mr. Morrison. Correct.

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

Mr. Morrison. Correct.

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

Mr. Morrison. It's not what we recommended the President discuss.

Mr. Goldman. Now, in a second meeting with Mr. Eisenberg, what did you recommend that he do to prevent the call record from leaking?

Mr. Morrison. I recommended we restrict access to the package.

Mr. Goldman. Had you ever asked the NSC legal advisor to restrict access before?

Mr. Morrison. No.

Mr. Goldman. Did you speak to your supervisor, Dr. Kupperman, before you went to speak to John Eisenberg?

Mr. Morrison. No.

Mr. Goldman. Did you subsequently learn that the call record had been put in a highly classified system?

Mr. Morrison. I did.

Mr. Goldman. And what reason did Mr. Eisenberg give you for why the call record was put in the highly classified system?

Mr. Morrison. It was a mistake.

Mr. Goldman. He said it was just a mistake?

Mr. Morrison. It was an administrative error.

Mr. Goldman. Now, isn't it also true, though, that you had authority to restrict access on the regular system if you wanted to?

Mr. Morrison. I believe I could have instructed the appropriate staff to do so, yes.

Mr. Goldman. So why did you go to the NSC legal advisor to recommend that?

Mr. Morrison. Well, I was also concerned that, based on the participants in the listening room that day, I did not then and I do not now recall any representatives from the NSC legal advisor's office, as they were often on head-of-state calls, but not always, and I wanted to make sure that John Eisenberg, as the legal advisor, and his deputy, were aware to review this particular transcript.

Mr. Goldman. And you wanted them to review it because you were concerned about the political -- potential political consequences, not because anything was wrong?

Mr. Morrison. Correct. The "political consequences" was an umbrella term I used in my statement to describe a series of effects I feared about what would happen if and when the content of the transcript or the content of the MEMCOM leaked.

Mr. Goldman. So just to make sure I understand this correctly, Mr. Morrison: You heard the call. You recognized that President Trump was not discussing the talking points that the NSC had prepared based on official U.S. policy and was instead talking about the investigations that Fiona Hill had warned you about, and then you reported it immediately to the NSC legal advisor? Is that the correct chain of events here?

Mr. Morrison. That's correct.

Mr. Goldman. Now, Ambassador Volker, in the July 25th call, President Zelensky volunteers to President Trump that Rudy Giuliani had already spoken with one of his

associates and that President Zelensky hopes Giuliani will come to Ukraine. But in response, President Trump proceeds to mention Mr. Giuliani on three separate occasions during this call.

You testified about a May 23rd meeting in the Oval Office where the President spoke quite negatively about Ukraine and how it would try to take him down and that he also repeated some of the allegations that Mr. Giuliani was making. Is that correct?

Ambassador Volker. Yes.

Mr. Goldman. Okay. And those allegations were in the media, were they not?

Ambassador Volker. Yes.

Mr. Goldman. And during that meeting, President Trump told you and Ambassador Sondland and Secretary Perry to talk to Giuliani. Isn't that correct?

Ambassador Volker. I didn't take it as an instruction. I want to be clear about that. He said: That's not what I hear.

You know, when we were giving him our assessment about President Zelensky and where Ukraine is headed: That's not what I hear. I hear terrible things. He's got terrible people around him. Talk to Rudy.

And I understood, in that context, him just saying that's where he hears it from. I didn't take it as an instruction.

Mr. Goldman. So when he said "talk to Rudy," you didn't take it for him to mean for you talk to Rudy?

Ambassador Volker. No, I didn't take it that way. I took it as just part of the dialogue, that I hear other things, I hear them from Rudy Giuliani and from other people. That's not what's going on. He's surrounded by terrible people. Talk to Rudy. It just seemed like part of the dialogue.

Mr. Goldman. Well, after that meeting, did you, in fact, talk to Rudy?

Ambassador Volker. After that meeting, not immediately, no. Remember, this was May 23rd. And we continued to proceed with our effort to get the White House visit for President Zelensky scheduled and to keep ramping up our support for the new Ukrainian President and ultimately the new Ukrainian Government.

I did, however, on July 2nd, as I was becoming concerned that we were not succeeding at this, tell President Zelensky, "I think we have a problem," and that problem being this negative feed of information from Mr. Giuliani.

Mr. Goldman. And, ultimately, I think, as you testified in your opening statement, you introduced Mr. Yermak to Mr. Giuliani, and they eventually met. Is that right?

Ambassador Volker. That is correct.

Mr. Goldman. Now, during this whole time in July and after the call into early August when they met, Ukraine still desperately wanted that Oval Office meeting for President Zelensky, correct?

Ambassador Volker. That is correct.

Mr. Goldman. And you also wanted that for President Zelensky. Is that right?

Ambassador Volker. That is correct.

Mr. Goldman. Why was that Oval Office meeting so important to President Zelensky?

Ambassador Volker. I think that he felt that he was not well understood by President Trump. He is a charismatic leader who ran a remarkable campaign in the Ukraine against the legacy of corruption and political malaise that had been there. He had a massive showing in the Presidential election, 73 percent support. He believed he was leading a movement of major change in the Ukraine and that President Trump did not see that or did not appreciate that, but if he had a chance to sit down and speak with

President Trump face-to-face, he believed that he could be very convincing about that. And I agree with him.

Mr. Goldman. That certainly was your assessment, right?

Ambassador Volker. It was my assessment, and I believe it was also what President Zelensky believed.

Mr. Goldman. And certainly you understood from your experience in Ukraine that there would be a significant boost in legitimacy at home for President Zelensky if there were photos of him in the Oval Office, et cetera, right?

Ambassador Volker. Yes, that is correct.

Mr. Goldman. Now, you testified in your opening statement that Mr. Giuliani and Mr. Yermak, Zelensky's aide, met on August 2nd. Where did they meet?

Ambassador Volker. They met in Madrid.

Mr. Goldman. And did you learn that Mr. Giuliani requested anything of the Ukrainians at that meeting?

Ambassador Volker. Only when I spoke with Mr. Giuliani afterwards. He said that he thought Ukraine should issue a statement. And then I spoke with Mr. Yermak after that, and he said: Yes, and we're prepared to make a statement.

And that then kicked off the series of discussions that I said in my testimony.

Mr. Goldman. We'll get into that in a second. But Mr. Giuliani did not explain to you what needed to be included in that statement, in that call he had?

Ambassador Volker. He said something more general, as I recall. I recall him saying "fight corruption," that -- their commitment to being different. Mr. Yermak told me when I spoke with him, as I recall, that the statement would include specific mention of Burisma and 2016.

Mr. Goldman. Right. Let's go through some of the text messages so we know

exactly who said what.

And, first, let's start on August 9th. This is a text exchange between you and Ambassador Sondland where Ambassador Sondland writes at the top: Morrison ready to get dates as soon as Yermak confirms.

And what did you respond?

Ambassador Volker. I said, "Excellent," with two explanations point; "how did you sway him," with a smile afterwards.

Mr. Goldman. Ambassador Sondland responded: Not sure I did. I think POTUS really wants the deliverable. And what did you say to that?

Ambassador Volker. "But how does he know that?"

Mr. Goldman. And Ambassador Sondland says, "Yep. Clearly lots of convos going on."

Now, Mr. Morrison, you're referenced in this text message. Had you discussed confirming a date for a White House visit for President Zelensky with Ambassador Sondland around this time?

Mr. Morrison. I likely would have.

Mr. Goldman. And did you have any discussions with him about a statement for -- that Ukraine was -- that they were trying to get Ukraine to make?

Mr. Morrison. I did not.

Mr. Goldman. Were you aware that -- do you yourself know what Ambassador Sondland meant by "the deliverable"?

Mr. Morrison. I did not at the time. I think I have an understanding now.

Mr. Goldman. And what is your understanding now?

Mr. Morrison. There seems to have been discussions about a statement, various drafts of which have been discussed in various proceedings.

Mr. Goldman. But this, to your knowledge, was part of that parallel process you were talking about?

Mr. Morrison. Yes.

Mr. Goldman. If we can now go to the next exhibit, which is another text exchange just a few minutes later between Ambassador Sondland and you, Ambassador Volker, where Ambassador Sondland says: To avoid misunderstandings, might be helpful to ask Andriy for a draft statement, embargoed, so that we can see exactly what they propose to cover. Even though Ze -- Zelensky -- does a live presser, they can still summarize in a brief statement. Thoughts?

And how did you respond?

Ambassador Volker. "Agree."

Mr. Goldman. And this relates to the statement that Mr. Giuliani wanted. Is that right, Ambassador Volker?

Ambassador Volker. It relates to the statement that he and Mr. Yermak had discussed.

Mr. Goldman. And, now, to the next day, on August 10th, there's another text exchange between you and Mr. Yermak, who is the same aide that Mr. Giuliani had met in Madrid. And if you could read what you wrote at the top at 5:02 p.m.

Ambassador Volker. Right. I wrote: I agree with your approach. Let's iron out statement and use that to get date, and then President Zelensky can go forward with it.

Mr. Goldman. And Mr. Yermak responds: Once we have a date, we will call for a press briefing announcing upcoming visit and outlining vision for the reboot of U.S.-Ukraine relationship, including, among other things, Burisma and election meddling and investigations.

And what did you respond?

Ambassador Volker. "Sounds great."

Mr. Goldman. Now, the date that he's referring to, that is the date for the White House visit?

Ambassador Volker. That's correct.

Mr. Goldman. Now, 2 days later, on August 12th, you receive another text message from Mr. Yermak which reads: Special attention should be paid to the problem of interference in the political processes of the United States, especially with the alleged involvement of some Ukrainian politicians. I want to declare that this is unacceptable. We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, which in turn will prevent the recurrence of this problem in the future.

Now, Ambassador Volker, this was a draft, was it not, of the statement that you and Mr. Giuliani and Mr. Yermak and Ambassador Sondland had been discussing?

Ambassador Volker. This is the first draft of that from Mr. Yermak, after the conversations that we had.

Mr. Goldman. And it does not mention Burisma or the 2016 election interference, correct?

Ambassador Volker. It does not.

Mr. Goldman. And you testified in your deposition that you and Ambassador Sondland and Mayor Giuliani had a conversation about this draft after you received it. Is that right?

Ambassador Volker. That is correct.

Mr. Goldman. And Mr. Giuliani said that, if the statement did not include Burisma and 2016 election, it would not have any credibility. Is that right?

Ambassador Volker. That's correct.

Mr. Goldman. Now, this was the same Rudy Giuliani that President Trump was discussing in that May 23rd meeting and asked you to -- you and the others to talk to, correct?

Ambassador Volker. That is the same Mr. Giuliani.

Mr. Goldman. And even at that point, on May 23rd, you were aware of these investigations that he was publicly promoting, correct?

Ambassador Volker. I knew that he had adopted or was interested in all of those conspiracy theories that had come from Lutsenko.

Mr. Goldman. Back in May, you knew that?

Ambassador Volker. Back in May.

Mr. Goldman. Now, he was insisting on a public commitment from President Zelensky to do these investigations, correct?

Ambassador Volker. Well, now, what do we mean by "these investigations"?

Mr. Goldman. Burisma and the 2016 election.

Ambassador Volker. Burisma and 2016, yes.

Mr. Goldman. And at the time that you were engaged in coordinating for this statement, did you find it unusual that there was such an emphasis on a public statement from President Zelensky to carry out the investigations that the President was seeking?

Ambassador Volker. I didn't find it that unusual. I think when you're dealing with a situation where I believe the President was highly skeptical about President Zelensky being committed to really changing Ukraine after his entirely negative view of the country, that he would want to hear something more from President Zelensky to be convinced that, "Okay, I'll give this guy a chance."

Mr. Goldman. And perhaps he also wanted a public statement, because it would

lock President Zelensky in to do these investigations that he thought might benefit him?

Ambassador Volker. Well, again, when we say "these investigations," what I understood us to be talking about was Ukrainian corruption.

Mr. Goldman. Well, what we're talking about is Burisma and the 2016 election.

Ambassador Volker. Correct, yes.

Mr. Goldman. We can agree on that. And so, when we're talking about "these investigations," isn't it clear that a public statement would be important to Mr. Giuliani, because it was politically useful to the President?

Ambassador Volker. The way I saw it is that it would be helpful.

Mr. Goldman. Right.

Ambassador Volker. It would be a way of being convincing to Mayor Giuliani and also the President that this team in Ukraine is serious about fighting corruption, reform, that they are different. And if that would be helpful in getting a more positive attitude and the White House meeting scheduled, then that would be useful.

Mr. Goldman. And that would be helpful to get that White House meeting?

Ambassador Volker. Correct.

Mr. Goldman. In fact, it was a necessary condition, as you understood at that point, right?

Ambassador Volker. I wouldn't have called it a necessary condition. And, in fact, when it became clear later that we were not able to agree on an agreement that the Ukrainians were comfortable with, I agreed with the Ukrainians just to drop it; it's not worth it.

Mr. Goldman. No, I understand that. But is it your testimony that, based on the text that you wrote, linking the investigations and the 2016 election on July 25th to the White House meeting, you're saying, by this point in August, with this back and forth,

that you were unaware that this public statement was a condition for the White House meeting?

Ambassador Volker. I wouldn't have called it a condition. It's a nuance, I guess. But I viewed it as very helpful. If we could get this done, it would help improve the perception that President Trump and others had, and then we would get the date for a meeting. If we didn't have a statement, I wasn't giving up and thinking that, "Oh, well, then we'll never get a meeting."

Mr. Goldman. Let's go to the next day, where there is another text exchange. And at the top, could you just read the first text there?

Ambassador Volker. It says: Hi, Andriy. Good talking. Following is text with insert at the end for the two key items. We will work on official request.

Mr. Goldman. And then you'll see highlighted portion of the next text. The other is identical to your previous one, and then it just adds including --

Ambassador Volker. Including -- correct.

Mr. Goldman. Including these involving Burisma and the 2016 elections. Is that right?

Ambassador Volker. That is correct.

Mr. Goldman. And that is what Mr. Giuliani insisted on adding to the statement?

Ambassador Volker. That's what he said would be necessary for that to be credible.

Mr. Goldman. And the Ukrainians ultimately did not issue this statement. Is that right?

Ambassador Volker. That is correct.

Mr. Goldman. And President Zelensky ultimately did not get the Oval Office meeting either, did he?

Ambassador Volker. Not yet.

Mr. Goldman. Now, I want to move forward to September and early September when the security assistance begins to more overtly be used as leverage to pressure the Ukrainians to conduct these investigations that President Trump wanted.

Mr. Morrison, you accompanied Vice President Pence to Warsaw when he met with President Zelensky. Is that right?

Mr. Morrison. I was in Warsaw when the Vice President was designated as the President's representative. I was accompanying Ambassador Bolton.

Mr. Goldman. Understood. You were at the bilateral meeting with the Vice President and President Zelensky, correct?

Mr. Morrison. I was.

Mr. Goldman. And in that meeting, were the Ukrainians concerned about the hold on security clearance -- security clearance -- military assistance, rather?

Mr. Morrison. Yes.

Mr. Goldman. What did they say?

Mr. Morrison. It was the first issue that President Zelensky raised with Vice President Pence. They were very interested. They talked about its importance to Ukraine, its importance to their relationship.

Mr. Goldman. And what was Vice President Pence's response?

Mr. Morrison. The Vice President represented that it was a priority for him and that we were working to address -- and he characterized President Trump's concerns about the state of corruption in Ukraine and the President's prioritization of getting the Europeans to contribute more to security sector assistance.

Mr. Goldman. And did he directly explain to the Ukrainians that those were the actual reasons for the hold, or was he just commenting on general concerns of the

President?

Mr. Morrison. I don't know that he necessarily acknowledged a hold. He mentioned that we were reviewing the assistance. That's the way I heard it. That's the way I would characterize it. And those were the points he raised, to help President Zelensky understand where we were in our process.

Mr. Goldman. And to your knowledge, though, on sort of the staff level, as the coordinator of all of the interagency process, you were not aware of any review of the Ukraine security assistance money, were you?

Mr. Morrison. While we were -- we had been running a review, we had been running an interagency process to provide the President the information that I had been directed to generate for the President's consideration as to the state of interagency support for continuing Ukraine security sector assistance.

Mr. Goldman. And the entire interagency supported the continuation of the security assistance. Isn't that right?

Mr. Morrison. That is correct.

Mr. Goldman. Now, after this larger meeting with Vice President Pence and President Zelensky, you testified at your deposition that you saw Ambassador Sondland immediately go over and pull Andriy Yermak aside and have a conversation. Is that right?

Mr. Morrison. I mean, it was President Zelensky left the room, Vice President Pence left the room, and in sort of an anteroom, Ambassador Sondland and Presidential Advisor Yermak had this discussion, yes.

Mr. Goldman. And what did Ambassador Sondland tell you that he told Mr. Yermak?

Mr. Morrison. That the Ukrainians would have to have the prosecutor general

make a statement with respect to the investigations as a condition of having the aid lifted.

Mr. Goldman. And you testified that you were not comfortable with what Ambassador Sondland had told you. Why not?

Mr. Morrison. Well, I was concerned about what I saw as essentially an additional hurdle to accomplishing what I had been directed to help accomplish, which was giving the President the information that he needed to determine that the security sector assistance could go forward.

Mr. Goldman. So now there's a whole other wrinkle to it, right?

Mr. Morrison. There was the appearance of one, based on what Ambassador Sondland represented.

Mr. Goldman. And you told Ambassador Taylor about this conversation as well. Is that right?

Mr. Morrison. I promptly reached out to Ambassador Taylor to schedule a secure phone call.

Mr. Goldman. And in your deposition, you testified that his testimony, other than one small distinction between President Zelensky and the prosecutor general, was accurate as to what you told him. Is that correct?

Mr. Morrison. About that conversation, yes.

Mr. Goldman. And, generally speaking, you confirmed everything that Ambassador Taylor told you, except for that one thing and a small other ministerial matter relating to the location of a meeting. Is that correct?

Mr. Morrison. Correct.

Mr. Goldman. Now, did you tell Ambassador Bolton about this conversation as well?

Mr. Morrison. I have reached out to him as well and requested his availability for a secure phone call.

Mr. Goldman. And what was his response when you explained to him what Ambassador Sondland had said?

Mr. Morrison. Tell the lawyers.

Mr. Goldman. Did you go tell the lawyers?

Mr. Morrison. When I returned to the States, yes.

Mr. Goldman. And did he explain to you why he wanted you to tell the lawyers?

Mr. Morrison. He did not.

Mr. Goldman. Now, a few days later, on September 7th, you spoke again to Ambassador Sondland, who told you that he had just gotten off the phone with President Trump. Isn't that right?

Mr. Morrison. That sounds correct, yes.

Mr. Goldman. What did Ambassador Sondland tell you that President Trump said to him?

Mr. Morrison. If I recall this conversation correctly, this was where Ambassador Sondland related that there was no quid pro quo, but President Zelensky had to make the statement and that he had to want to do it.

Mr. Goldman. And by that point, did you understand that the statement related to the Biden and 2016 investigations?

Mr. Morrison. I think I did, yes.

Mr. Goldman. And that that was a -- essentially a condition for the security assistance to be released?

Mr. Morrison. I understood that that's what Ambassador Sondland believed.

Mr. Goldman. After speaking with President Trump?

Mr. Morrison. That's what he represented.

Mr. Goldman. Now, you testified that hearing this information gave you a sinking feeling. Why was that?

Mr. Morrison. Well, I believe if we're on September 7th, the end of the fiscal year is September 30th, these are 1-year dollars, the DOD and the Department of State funds, so we only had so much time. And, in fact, because Congress imposed a 15-day notification requirement on the State Department funds, September 7th, September 30th, that really means September 15th in order to secure a decision from the President to allow the funds to go forward.

Mr. Goldman. Did you tell Ambassador Bolton about this conversation as well?

Mr. Morrison. I did. I did, yes.

Mr. Goldman. And what did he say to you?

Mr. Morrison. He said to tell the lawyers.

Mr. Goldman. And why did he say to tell the lawyers?

Mr. Morrison. He did not explain his direction.

Mr. Goldman. But he's not going to -- he doesn't tell you to go tell the lawyers because you're running up on the 8-day deadline there, right?

Mr. Morrison. Again, I don't know why he directed that, but it seems reasonable, and it was consistent with what I was going to do anyway.

Mr. Goldman. And you weren't going to go tell them because of that concern, right? You were concerned about what you were hearing Ambassador Sondland relay to you, correct?

Mr. Morrison. Correct.

Mr. Goldman. So, just so we're clear, you reported two concerning conversations that you had with Ambassador Sondland to the lawyers in early September

in which you understood from him that the President was withholding security assistance as additional leverage to get Ukraine to publicly announce the specific political investigations that President Trump had discussed on the July 25th call. Is that accurate?

Mr. Morrison. I was concerned about what Ambassador Sondland was saying were requirements, yes.

Mr. Goldman. Right. And you understood, though, that the investigations that Ambassador Sondland was referring to were the two that President Trump referenced on the July 25th call, correct?

Mr. Morrison. By this point, yes.

Mr. Goldman. And during this early September time period, Mr. Morrison, did you have any conversations with Ambassador Volker about any of this?

Mr. Morrison. I believe we had one conversation.

Mr. Goldman. And what do you recall about that conversation?

Mr. Morrison. I believe, on or about September 6th, Ambassador Volker was in town to provide an update on some of his activities and that -- and he provided that update, and then we had a one-on-one conversation about this -- this track, this separate process.

Mr. Goldman. And what do you recall saying to him about the separate process?

Mr. Morrison. I think I was interested in understanding his understanding of events.

Mr. Goldman. Did you explain to him what your understanding of events was?

Mr. Morrison. I think I was primarily on receive mode.

Mr. Goldman. Okay. And Ambassador Volker, what do you -- do you recall this conversation?

Ambassador Volker. Thank you. I do remember a conversation with Tim. I'm not sure about the timing. I left around that time to go on a trip. And so it may have been a little bit earlier. I'm not sure about the timing. And what I do remember the discussion being is Tim asking me, what is my impression of the role that Ambassador Sondland plays?

And my response to that was, well, I find it helpful that he has political contacts in the White House. I don't have those contacts. I'm working with the national security, the diplomatic front, but I don't have the political contacts. And so, if he's able to use those to support the same goals that we are working toward, then I viewed that as helpful.

Mr. Goldman. Well, that's a good segue to our next exhibit, which is a September 8th text exchange with you and Ambassador Taylor and Ambassador Sondland. And at the top, Ambassador Sondland says: Guys, multiple convos with Ze -- that's Zelensky -- period, POTUS, period. Let's talk.

And then Ambassador Taylor, about 15, 16 minutes later, says: Gordon and I just spoke. I can brief you -- meaning you, Ambassador Volker -- if you and Gordon don't connect.

Approximately 1 hour later, Ambassador Taylor says: The nightmare is they give the interview and don't get the security assistance. The Russians love it. And I quit.

And then, at the bottom, about 5 hours later, how do you respond?

Ambassador Volker. Say: I'm not in the loop. Talk Monday?

Mr. Goldman. So you were not in the loop in terms of all of these conversations that Ambassador Taylor, Mr. Morrison, Ambassador Sondland were having?

Ambassador Volker. Yes, that's correct.

Mr. Goldman. And now, ultimately, the hold was lifted on September 11th. Is

that right, Ambassador Volker?

Ambassador Volker. That's my understanding.

Mr. Goldman. Okay. And, Mr. Morrison, were you aware that, prior to September 11th, that the White House -- that there was a whistleblower complaint circulating around the White House?

Mr. Morrison. I don't believe so, no.

Mr. Goldman. But you were aware of a request to preserve records, were you not?

Mr. Morrison. We received a number of those requests. I have a general recollection of one as it related to Ukraine.

Mr. Goldman. And one final question. When was the hold lifted?

Mr. Morrison. As I understand it, the President gave that direction the evening of September 11th.

Mr. Goldman. Which was 2 days after Congress announced an investigation. Were you aware of that?

Mr. Morrison. I believe I was aware of the letter from the three committee chairman.

Mr. Goldman. I yield.

The Chairman. That concludes the majority 45 minutes.

Before I turn to the minority, are you both and your counsel okay, or do you need a break?

Ms. Daum. We're fine.

The Chairman. Okay. Ranking Member Nunes, you are recognized for 45 minutes.

Mr. Nunes. Well, Ambassador and Mr. Morrison, I have some bad news for you.

TV ratings are way down, way down. I don't -- don't hold it personally. I don't think it's you guys. But whatever drug deal the Democrats are cooking up here on the dais, the American people aren't buying it.

I know you both answered this in your opening statements, but I just want to bring a little more clarity to it.

Mr. Morrison, I'll start with you. Did anyone ever ask you to bribe or extort anyone at any time during your time in the White House?

Mr. Morrison. No, sir.

Mr. Nunes. And you were the top person for Ukraine in the White House, correct, at the NSC level?

Mr. Morrison. I would argue Ambassador Bolton would be, but --

Mr. Nunes. Reporting to Ambassador Bolton.

Mr. Morrison. I was the senior official, yes, sir.

Mr. Nunes. Ambassador Volker, you have a storied career. We're very thankful for your service. And you were the special envoy to Ukraine?

Ambassador Volker. That is correct.

Mr. Nunes. Did anyone at the White House ever ask you to bribe or extort anything out of anyone at any time?

Ambassador Volker. No, sir.

Mr. Nunes. Thank you.

I want to thank you both for being here. And I'll yield to Mr. Castor.

Mr. Castor. Thank you, Mr. Nunes.

Thank you both for being here today and also for participating in the lengthy depositions.

Ambassador Volker, you were the first one on October 3rd and, Mr. Morrison, you

were with us on Halloween. So thank you for your participation.

Mr. Morrison, I also want to thank you. You're a long-time Hill staffer. I certainly have appreciation for that, nearly 20 years. So thank you.

And, Ambassador Volker, Hatboro, Pennsylvania, resident?

Ambassador Volker. Absolutely.

Mr. Castor. That's an incredible part of the country.

Ambassador Volker. Very proud of it.

Mr. Castor. I'm from nearby.

I just want to walk through some of your positions.

You were a Senate-confirmed Ambassador to NATO for a stint?

Ambassador Volker. That is correct.

Mr. Castor. And then at the State Department, and your portfolio spanned much of what George Kent has currently?

Ambassador Volker. I was the Principal Deputy Assistant Secretary, so I had all -- working for all of the Assistant Secretary, had all of Europe and Eurasia and particular responsibility for NATO, Western Europe and European Union.

Mr. Castor. And then you -- you were involved with the National Security Council, you were the director for NATO in western Europe?

Ambassador Volker. That is correct.

Mr. Castor. And then you were the Senior Director for European and Eurasian Affairs?

Ambassador Volker. I was acting for several months, 6 months or so.

Mr. Castor. Okay. Much like the job Mr. Morrison had?

Ambassador Volker. [Nonverbal response.]

Mr. Castor. And we'll note that all of the witnesses that we have interacted with

have just heaped praise on you. Ambassador Yovanovitch said you were a brilliant diplomat. So that's very high praise.

And for over 2 years, you served as the Special Representative for Ukraine negotiations?

Ambassador Volker. That is correct.

Mr. Goldman. And you served for free?

Ambassador Volker. That is correct.

Mr. Castor. You served on a voluntary basis?

Ambassador Volker. I did.

Mr. Castor. And you put a lot of time and effort into that job, didn't you?

Ambassador Volker. Yes, I did.

Mr. Castor. The taxpayers certainly got their -- certainly got their money's worth, didn't they?

Ambassador Volker. Not for me to say.

Mr. Castor. And you believe America's policy towards Ukraine has been strengthened during your tenure as the Special Representative?

Ambassador Volker. Absolutely. When I look back at the record, I think we did an awful lot to support Ukraine.

Mr. Castor. And is it fair to say that's in part due to President Trump?

Ambassador Volker. President Trump approved each of the decisions made along the way, providing lethal defensive equipment and the nonrecognition statement on Crimea I think being two of the most important ones.

Mr. Castor. And for many years, there had been an initiative in the interagency to advocate for lethal defensive weaponry for Ukraine. Is that correct?

Ambassador Volker. That is correct.

Mr. Castor. And it wasn't until President Trump and his administration came in that that went through?

Ambassador Volker. That is correct.

Mr. Castor. The delegation to President Zelensky's inauguration in May, I believe you testified it was one of the largest delegations?

Ambassador Volker. I believe it was. I can't be 100 percent sure, but I believe it was the largest national delegation.

Mr. Castor. Okay. And included in that delegation was Secretary Perry?

Ambassador Volker. Secretary Perry, Ambassador Sondland, myself, Senator Ron Johnson was there, and also the charge d'affaires at the U.S. Embassy at the time, Joe Pennington.

Mr. Castor. And the -- we talked a little bit this morning, but the -- President Zelensky's inauguration came together rather quickly?

Ambassador Volker. It did. I believe we had about 3 days' notice in which to put the delegation together.

Mr. Castor. And there's been some discussion about whether the Vice President was going to be able to lead that effort. And as it turned out, he was not able to lead it. Do you have any information as to why the Vice President was unable to join?

Ambassador Volker. I don't.

Mr. Castor. And, Mr. Morrison, do you have any information as to why the Vice President was unable to participate in the delegation?

Mr. Morrison. No.

Mr. Castor. Ambassador Volker, you testified during your deposition that aid, in fact, does get held up from time-to-time for a whole assortment of reasons.

Is that your understanding?

Ambassador Volker. That is true.

Mr. Castor. And sometimes the holdups are rooted in something at OMB, sometimes it's at the Defense Department, sometimes it's at the State Department, sometimes it's on the Hill. Is that correct?

Ambassador Volker. That is correct.

Mr. Castor. And so, when the aid was held up for 55 days for Ukraine, that didn't in and of itself strike you as uncommon?

Ambassador Volker. No. It's something that had happened in my career in the past. I had seen holdups of assistance. I just assumed it was part of the decisionmaking process. Somebody had an objection, and we had to overcome it.

Mr. Castor. Okay. And, in fact, there were concerns that, you know, perhaps President Zelensky wasn't going to be the reformer that he campaigned on?

Ambassador Volker. That was a supposition that I made. Because of the meeting with the President on May 23rd, I thought that could be what's behind it.

Mr. Castor. And, in fact, the aid was lifted shortly after he was able to convene a Parliament?

Ambassador Volker. I believe he -- let me get the dates straight. I believe, yes, he was able to convene the parliament around the 1st of September, and I believe the aid was released on the 11th of September.

Mr. Castor. And when he was able to convene a Parliament, he was able to put through a number of anticorruption initiatives?

Ambassador Volker. That began with the parliament seated on that day. It was a 24-hour session, but then it continued for some time.

Mr. Castor. And that was an encouraging sign?

Ambassador Volker. It started off in a very encouraging way, yes.

Mr. Castor. And other than these things going on in the background, with the pause in the aid, the U.S. relations with Ukraine, you testified, are -- you stated it was about as good as you'd want them to be?

Ambassador Volker. Can you repeat the question? I'm sorry.

Mr. Castor. You testified at your deposition that, once the aid was lifted, despite all of the things going on in the background, that U.S.-Ukrainian relations were strong, were as good as you want them to be?

Ambassador Volker. Yes.

Mr. Castor. And you referenced that the security sector assistance was lifted, you know, any hold on that, that there was a positive meeting in New York --

Ambassador Volker. That's correct.

Mr. Castor. -- at the UNGA, and there was momentum, putting pressure on the Russians; is that correct?

Ambassador Volker. That is correct.

Mr. Castor. In your deposition, you made it clear that President Trump had a deep-rooted negative view of Ukraine and their corruption environment?

Ambassador Volker. Yes.

Mr. Castor. And you first became aware of his views back in September of 2017?

Ambassador Volker. That is correct.

Mr. Castor. Can you tell us a little bit about that?

Ambassador Volker. Yes. In September of 2017, I was invited by Secretary Tillerson to do a prebrief with President Trump before his meeting with President Poroshenko on the margins of the U.N. General Assembly. I did the prebrief, and then I took part in the bilateral meeting.

Mr. Castor. And so long before President Zelensky was elected, President Trump

had a negative view of the Ukraine.

Ambassador Volker. Yes, he had a very strongly negative view.

Mr. Castor. Back in 2017, do you remember anything he said or did that gave you a feeling that he had these negative views?

Ambassador Volker. Yes. I want to be very careful here because this was a bilateral meeting between the two Presidents. I don't want to stray into classified material. But I can tell you my impression was that he had a very strongly negative view of Ukraine at the time.

Mr. Castor. Okay. Fair enough. And you described the President's skepticism at your deposition as a reasonable position?

Ambassador Volker. Yes.

Mr. Castor. And I believe you said most people who know anything about Ukraine would -- would possibly think that?

Ambassador Volker. Yes.

Mr. Castor. And you viewed it as part of your role to help change his mind, that President Zelensky was a genuine reformer, that he was not running for office for self-enrichment, that he was, indeed, a good person?

Ambassador Volker. That's correct.

Mr. Castor. During the May 23rd meeting with the President in the Oval Office, could you just relay to us the concerns the President articulated about the Ukraine?

Ambassador Volker. Yes. The President came into the meeting and immediately started speaking. He had just a string of comments that Ukraine is a terrible place: They're all corrupt. They're terrible people. They tried to take me down.

I tried to explain, along with the others that were there; each of us took turns

speaking. I tried to explain that President Zelensky agrees with you, that he was elected because of that situation in Ukraine, and he has a strong mandate from the people of Ukraine to change it and that's why it's important that we actually show him very strong support now.

But the President was not convinced, and he said that Zelensky is no different, that he has terrible people around him. You know, it's not what I hear about Ukraine, what we're telling him. You know, I hear that, you know -- that nothing has changed. Talk to Rudy, that kind of dialogue, as I described.

Mr. Castor. And when the President said that the Ukrainians tried to take him down, did you have any idea what he was referring to?

Ambassador Volker. I did. I believe that he was referring to the rumors of efforts to interfere in the 2016 election by providing damaging information about the President or about Paul Manafort to the Hillary Clinton campaign. That was one of the rumors that had been out there and that had gotten some support from the Ukrainian prosecutor general.

Mr. Castor. And to the best of your knowledge, the President genuinely believed that, right?

Ambassador Volker. I believe he was concerned about it. I don't know what he actually believed, but he brought it up.

Mr. Castor. Okay. And, Mr. Morrison, you were also aware of the President's skeptical view of foreign aid generally?

Mr. Morrison. Yes.

Mr. Castor. And that there was an initiative that he was looking at foreign aid pretty broadly?

Mr. Morrison. Yes.

Mr. Castor. And trying to scrutinize to make sure the U.S. taxpayers were getting their money's worth?

Mr. Morrison. Yes.

Mr. Castor. And the President was also interested, was he not, in better understanding opportunities for increased burden sharing among the Europeans?

Mr. Morrison. Yes.

Mr. Castor. And what can you tell us about that?

Mr. Morrison. The President was concerned that the United States seemed to -- to bear the exclusive brunt of security assistance to Ukraine. He wanted to see the Europeans step up and contribute more security assistance.

Mr. Castor. And was there any interagency activity, whether it be with the State Department for or the Defense Department, in coordination by the National Security Council, to look into that a little bit for the President?

Mr. Morrison. We were surveying the data to understand who was contributing what and sort of in what categories.

Mr. Castor. And so the President's evinced concerns, the interagency tried to address them?

Mr. Morrison. Yes.

Mr. Castor. And by late August, we just discussed with Ambassador Volker that a new Rada was seated. And did that give possibly some hope that President Zelensky would be able to push through some of these reforms?

Mr. Morrison. Yes.

Mr. Castor. And did you hope, during this time period, during this 55 days where the aid was paused, that potentially Zelensky would be able to demonstrate his -- you know, bona fides and would subsequently be able to, you know, get the President to lift

the aid?

Mr. Morrison. Yes.

Mr. Castor. In fact, you traveled with Ambassador Bolton to the Ukraine right around Labor Day weekend, correct?

Mr. Morrison. Yes.

Mr. Castor. And you met with President Zelensky on I believe it was August 29th?

Mr. Morrison. Ambassador Bolton had a meeting with President Zelensky, and I staffed that meeting.

Mr. Castor. And that's right around the time when the Rada had met, and they had started to push through their reforms?

Mr. Morrison. As I recall the meeting -- the date of the meeting between Ambassador Bolton and President Zelensky was actually the first day of the new Rada.

Mr. Castor. And some of these reforms included naming a new prosecutor general?

Mr. Morrison. A new prosecutor general, a brand new Cabinet, yes.

Mr. Castor. And they pushed through some legislation that eliminated immunity for Rada members?

Mr. Morrison. Yes, eliminating parliamentary immunity.

Mr. Castor. And I believe you provided some color into this experience, this meeting, and you said the Ukrainians had been up all night working on some of these legislative initiatives.

Mr. Morrison. Yes. The Ukrainians, with whom we met, were by all appearances exhausted from the pace of activity.

Mr. Castor. And was Ambassador Bolton encouraged by the activity?

Mr. Morrison. Yes, he was.

Mr. Castor. And was the meeting altogether favorable?

Mr. Morrison. Quite.

Mr. Castor. And at that point in time after the meeting, Ambassador Bolton, did he head off to Warsaw with the Vice President, or did he just -- I know you went to Warsaw.

Mr. Morrison. Well, we had a few stops between Ukraine and Poland, but yes, Ambassador Bolton proceeded to Warsaw where we were expecting to ensure everything was staged properly for the President's arrival.

Mr. Castor. And did you have an opportunity to brief the Vice President on --

Mr. Morrison. I did not.

Mr. Castor. Did Ambassador Bolton?

Mr. Morrison. He did.

Mr. Castor. What do you remember from what Ambassador Bolton shared about with the Vice President about the Zelensky meeting?

Mr. Morrison. I was not there. The issue I remember most starkly was Ambassador Bolton was quite annoyed that Ambassador Sondland crashed the prebrief.

Mr. Castor. Okay.

Mr. Morrison. But the ambassador had everything he needed to ensure that the -- either the President or the Vice President were well prepared.

Mr. Castor. But did you brief Ambassador Bolton before he had an opportunity to meet with the Vice President?

Mr. Morrison. I didn't need to. Ambassador Bolton was there.

Mr. Castor. Okay. But as far as you know, Ambassador Bolton communicated to the Vice President that the goings on in Ukraine were positive --

Mr. Morrison. That's my understanding.

Mr. Castor. -- with President Zelensky.

And at this time Ambassador Bolton was advocating for the lifting of the aid?

Mr. Morrison. He had been for some time, yes.

Mr. Castor. And did you participate in the Warsaw meetings?

Mr. Morrison. We had a reduced schedule from what had been arranged for the President for the Vice President. But the Vice President met with President Duda of Poland, and he met with President Zelensky, and I participated in both meetings.

Mr. Castor. And what you do remember from the meeting with President Zelensky?

Mr. Morrison. It seemed very -- it seemed very positive, very --

Mr. Castor. What was the message -- I mean, President Zelensky raised the issue of the aid, correct?

Mr. Morrison. Yes.

Mr. Castor. And how did the Vice President respond?

Mr. Morrison. He represented his support for the aid. He represented the strong commitment of the United States to Ukraine, and he explained that President Trump -- because this is after the Politico article had come out that made clear there was a hold. He explained that what we were doing was the United States Government, the interagency, was examining what more Europe could do in the security space and taking a look at how Ukraine was reforming what has been a history of corruption.

Mr. Castor. And was there any discussion during the meeting with President Zelensky on the part of the Vice President about any of these investigations we've come to talk about?

Mr. Morrison. No.

Mr. Castor. So Burisma wasn't raised?

Mr. Morrison. No.

Mr. Castor. 2016 election wasn't raised?

Mr. Morrison. No.

Mr. Castor. And the Vice President didn't mention any investigations at all, did he?

Mr. Morrison. No.

Mr. Castor. You mentioned the August 28th Politico article. Was that the first time that you believe the Ukrainians may have had a real sense that the aid was on hold?

Mr. Morrison. Yes.

Mr. Castor. So, from the 55-day period spanning July 18th through September 11th, it didn't really become public until August 28th?

Mr. Morrison. That's correct. Ambassador Taylor and I had a number of phone calls where we, in fact, talked about, do the Ukrainians know yet, because we both felt very strongly it was important that we ensure that the President was able to make a decision to release the aid before the Ukrainians ever found out about it.

Mr. Castor. Okay. And, Ambassador Volker, is that also your recollection --

Ambassador Volker. Yes, it is.

Mr. Castor. -- that it wasn't until the Politico article --

Ambassador Volker. That's correct. I received a text message from one of my Ukrainian counterparts on August 29th forwarding that article, and that's the first they raised it with me.

Mr. Castor. And can you share a little bit with us about your communications during that time period, about the hold on the aid?

Ambassador Volker. Yes. I didn't have any communications with the

Ukrainians about the hold on aid until after they raised it with me, for the same reason that Tim just gave, the hope that we could get it taken care of ourselves before it became something that they became aware of.

Inside the U.S. Government, I was aware that the hold was placed. I was aware of that on July 18th. It was referenced at an interagency meeting. And I got a readout from that meeting from one of my assistants.

I then immediately spoke with several people in the administration to object. I thought that this was a bad decision or a bad hold -- maybe not a decision, but, you know, a process, and I wanted to make sure all of the arguments were marshaled to get it lifted. And so I spoke with the Pentagon, Laura Cooper. I spoke with Assistant Secretary Pol-Mil Affairs at the State Department who was going to represent the State Department at the next higher level meeting.

I believe I spoke with officials in the European Bureau with the National Security Council staff. So I was actively trying to convey that this needed to be lifted. And I wanted them to be able to use my name in doing so because I felt that the best prospect for positioning ourselves for negotiations with Russia is the strongest defense capability for Ukraine.

Mr. Castor. And during this time period, did you come to believe that any of these investigations were part of a holdup in the aid?

Ambassador Volker. No, I did not.

Mr. Castor. Backtracking just a little bit, on July 3rd, you met in Toronto with President Zelensky. And there's been some -- you know, Ambassador Taylor and Mr. Kent provided some testimony that they had some apprehension that part of this irregular channel that Ambassador Taylor referenced would rear its head in Toronto. I'm just wondering if you can tell us whether that, in fact, happened.

Ambassador Volker. Yes. Thank you.

I can only tell you what I know. There may have been other conversations or other things. But I know that we had a conversation, Bill Taylor and I believe Gordon Sondland and I, around the 28th of June that later connected to I believe a conversation with President Zelensky, although I may not have been part of the latter. That being said, I was convinced after that conversation we had gotten nowhere.

We had our White House briefing of President Trump on May 23rd. He signed a letter inviting President Zelensky to the White House on May 29th. And for several weeks, we were just temporizing with the Ukrainians, saying: Well, we're working on it, it's a scheduling issue. We'll get there; don't worry.

And I told Bill and Gordon that I was going to see President Zelensky in Toronto, and I feel an obligation to tell him the truth, that we have a problem here. We're not getting a date scheduled. Here's what I think the problem is. It's the negative information flow from Mayor Giuliani and that he would -- also that I would advise him that he should call President Trump personally because he needed to renew that personal relationship and be able to convey to President Trump that he was serious about fighting corruption, investigating things that happened in the past and so forth. So I did all of that with President Zelensky in a pull-aside after our formal bilateral meeting.

Mr. Castor. Okay. And during that meeting in Toronto or the series of meetings, there was no discussion of preconditions, investigations of anything of that sort?

Ambassador Volker. No, no.

Mr. Castor. And you were there with Mr. Kent?

Ambassador Volker. Yes, I believe so.

Mr. Castor. And did you ever have any discussions with him about preconditions

or investigations?

Ambassador Volker. Not at that time. I think, later on, these things came up about when we were talking about a statement, whether there were investigations. But I believe at this time in Toronto, it was really more referring to investigations generically, that that is how you go about fighting corruption and that President Zelensky should reaffirm his commitment to President Trump in a direct phone call.

Mr. Castor. Okay. And at any point in time, had Mr. Kent raised any concerns to you about any of this?

Ambassador Volker. Not at that time.

Mr. Castor. Next event I want to cover is the July 10th meeting in Ambassador Bolton's office we talked a little bit about this morning. I don't know if you caught the coverage. But there was testimony that, at some point, Ambassador Sondland mentioned investigations and reportedly that the meeting ended abruptly. What can you tell us about that fact?

Ambassador Volker. Thank you. And let me answer that question first. I'd like to come back to your prior question for a second, too, if I may.

But on the July 10th meeting, this was a meeting that we had arranged between Alex Danylyuk, who is the head of the National Security and Defense Council, and the National Security Advisor Bolton. Attending the meeting was also Secretary Perry, Ambassador Sondland, myself, I believe Fiona Hill, and also Andriy Yermak.

The purpose was really a counterpart visit. I thought that this would be the best opportunity -- the first high-level meeting that we were having in Washington with a senior U.S. official, Ambassador Bolton, after President Zelensky's inauguration. I thought it would be a great opportunity for the Ukrainians to make their case, that they are the new team in town, real deal about fighting corruption.

I was rather disappointed with the meeting as it transpired. It struck me as down in the weeds talking about reform of national security structures in Ukraine and legislation that they were working on and not the big picture and not the bilateral relationship. So I was a bit disappointed by that.

At the end of the meeting, I do recall having seen some of the other testimony. I believe Ambassador Sondland did raise the point of investigations in a generic way. This was after the meeting was already wrapping up, and I think all of us thought it was inappropriate and the conversation did not pick up from there. It was -- the meeting was over.

We all went outside and we had a picture taken in front of the White House. And then all of us, except Ambassador Bolton, went down to the Ward room to talk through followup, about how do we follow up on this meeting to keep the momentum in the relationship.

And I think we broke off into several small groups. I remember having a conversation with Secretary Perry and one of his assistants about energy reform as part of that. I don't recall other conversations following up on investigations or Burisma.

Mr. Castor. And to the best of your knowledge, there certainly was no precondition discussed, right?

Ambassador Volker. No, no. Again, the issue of the security assistance was one where I thought that this was really related to a general negative view about Ukraine. There was nothing specific ever communicated to me about it or the reasons why it was held, and we certainly didn't want to talk about it with the Ukrainians. We wanted to fix it.

Mr. Castor. Okay. And a couple weeks later, the July 25th call happened, and you were headed to Ukraine during that time period?

Ambassador Volker. Yes. I was actually already on my way to Ukraine I think 2 days prior to that.

Mr. Castor. And you received readouts both from the U.S. side and the Ukrainian side. Could you tell us about that?

Ambassador Volker. Yes. So I was not on the phone call. I had arrived in Ukraine, and I had had that lunch with Mr. Yermak that we saw on the day of the phone call. I had been pushing for the phone call because I thought it was important to renew the personal connection between the two leaders and to congratulate President Zelensky on the parliamentary election.

The readout I received from Mr. Yermak and also from the U.S. side -- although I'm not exactly sure who it was on the U.S. side, but there was U.S. and a Ukrainian readout -- were largely the same, that it was a good call, that it was a congratulatory phone call for the President winning the parliamentary election.

President Zelensky did reiterate his commitment to reform and fighting corruption in Ukraine, and President Trump did reiterate his invitation to President Zelensky to come visit him in the White House. That's exactly what I thought the phone call would be, so I was not surprised at getting that as the readout.

Mr. Castor. And did you ever have any discussions with Ambassador Taylor about this?

Ambassador Volker. At that time. We were together in Ukraine at that time. We went the very next day to visit the conflict zone, and I'm sure he heard the same readout that I did.

Mr. Castor. And you had a meeting with President Zelensky on the 26th?

Ambassador Volker. Yes. We had a meeting the day after the phone call, on the 26th, in the morning before heading out to the conflict zone.

Mr. Castor. And were any of these concerning elements that some witnesses have raised about the call, raised in the meeting with President Zelensky?

Ambassador Volker. No. Only the very barebones readout that I had received, that was also how it was discussed in the meeting with President Zelensky.

Mr. Castor. So to the extent there's been assertions that President Zelensky was concerned about demands President Trump had made --

Ambassador Volker. I don't recall that.

Mr. Castor. You don't recall that?

Ambassador Volker. I do not recall being -- I don't recall -- well, let me turn that around and say he was very positive about the phone call.

Mr. Castor. Okay.

Ambassador Volker. I don't recall him saying anything about demands, but he was very upbeat about the fact of the call.

Mr. Castor. And there was no discussion on the part of President Zelensky on how to navigate the various --

Ambassador Volker. I don't recall that.

Mr. Castor. -- concerns that people have articulated about the call?

Ambassador Volker. I don't remember that.

RPTR WARREN

EDTR HOFSTAD

[4:26 p.m.]

Mr. Castor. And Mr. Zeldin asked you in the deposition that in no way, shape, or form in either readouts from the United States or Ukraine did you receive any indication whatsoever for anything that resembled a quid pro quo. Is that correct?

Ambassador Volker. That's correct.

Mr. Castor. And the same would go for this new allegation of bribery?

Ambassador Volker. I have only seen an allegation of bribery in the last week.

Mr. Castor. Okay. It's the same common set of facts. It's just, instead of quid pro quo, now it's bribery.

Ambassador Volker. I was never involved in anything that I considered to be bribery at all.

Mr. Castor. Okay. Or extortion?

Ambassador Volker. Or extortion.

Mr. Castor. Okay.

Ambassador Volker. Mr. Castor, may I address two specific points?

Mr. Castor. Of course.

Ambassador Volker. One is, I'm reminded that the meeting with Ambassador Bolton and Mr. Danylyuk took place on July 10th --

Mr. Castor. Yes.

Ambassador Volker. -- and I did not become aware of the hold on security assistance until July 18th.

Mr. Castor. Right. Okay.

Ambassador Volker. So that is another reason why that did not come up.

Mr. Castor. And, at that point in time, you didn't know that the potential pause in the security assistance was brewing?

Ambassador Volker. I did not, no. I heard about it for the first time on the 18th.

Mr. Castor. Okay. Now --

Ambassador Volker. May I make a second observation as well?

Mr. Castor. Absolutely.

Ambassador Volker. I do remember, having seen some of the testimony of Mr. Kent, a conversation in which he had asked me about the conspiracy theories that were out there in Ukraine. I don't remember what the date of this conversation was.

And my view was, well, if there are things like that, then why not investigate them? I don't believe that there's anything to them. If there is -- 2016 election interference is what I was thinking of -- we would want to know about that. But I didn't really believe there was anything there to begin with.

Mr. Castor. You testified in your deposition, to the extent the Ukrainians were going to investigate other Ukrainians for wrongdoing, that was perfectly appropriate, in your mind?

Ambassador Volker. Correct. That has been U.S. policy for years.

Mr. Castor. So, if certain Ukrainians involved with the Burisma company, if they --

Ambassador Volker. Well, that, I think, is the only plausible thing to look at there. As I said, I don't find it plausible or credible that Vice President Biden would have been influenced in his duties. But whether individual Ukrainians, in the society that we know Ukraine has been for decades, were trying to act in a corrupt way or to buy

influence, that's plausible.

Mr. Castor. Right.

Deputy Assistant Secretary Kent last Wednesday told us about, you know, there was an investigation into Burisma trying to recoup millions of taxpayer dollars, and the Ukrainians were pursuing an investigation. There was a bribe paid. Were you tracking that?

Ambassador Volker. I was aware of those kinds of things. I couldn't give you those kinds of details. I just know that there was a reputation around the company.

Mr. Castor. Okay.

And subsequent to those facts and the bribe being paid, the Burisma company wanted to improve their image and added some folks to their board, including the President of Poland, including Hunter Biden. Are you familiar with that?

Ambassador Volker. That's what I understand.

Mr. Castor. And to the extent the Ukrainians, the folks affiliated with Burisma wanted to hire those people for their board for protection purposes so they could continue to engage in misdeeds, if that was a fact worth investigating, you certainly would be supportive of the Ukrainians trying to get to the bottom of that, correct?

Ambassador Volker. Well, I can't speculate as to any of the specifics of what was motivating Burisma or not. Ukrainian Government authorities investigating possible corruption by Ukrainian citizens is a perfectly appropriate thing for them to do.

Mr. Castor. Okay.

Mr. Morrison, I want to turn our attention back to the July 25th call. You were in the room. Did anything concern you on the call?

Mr. Morrison. No.

Mr. Castor. And, after the call ended, like Colonel Vindman, one of your next

steps was to engage the NSC lawyers. And your reasons for doing that were slightly different than Colonel Vindman's. And you articulated three concerns. And do you want to share them with us, or would you rather I do it?

Mr. Morrison. Well, so I think I articulated two concerns. If I'm forgetting one, please remind me.

Mr. Castor. Okay.

Mr. Morrison. But the two concerns I had were, one, I did not see representatives of NSC Legal on the call. And so I wanted to make sure that the Legal Advisor and his deputy were aware of the call. And I was also concerned about taking steps to protect the MEMCON, limit its disclosure, for fear of the consequences of it leaking.

Mr. Castor. And you were concerned about it leaking because you were worried about how it would play out in Washington's polarized political environment, correct?

Mr. Morrison. Yes.

Mr. Castor. And you were also worried how that would lead to the bipartisan support here in Congress towards Ukraine, right?

Mr. Morrison. Yes.

Mr. Castor. And you were also concerned that it might affect the Ukrainians' perception negatively.

Mr. Castro. Yes.

Mr. Castor. And, in fact, all three of those things have played out, haven't they?

Mr. Morrison. Yes.

Mr. Castor. You didn't ask the lawyers to put it on the codeword system, correct?

Mr. Morrison. I want to be precise about the lexicon here. I did not ask for it

to be moved to a compartmented system.

Mr. Castor. Okay. You just wanted the transcript to be controlled.

Mr. Morrison. I wanted access to be restricted.

Mr. Castor. Okay. And when you learned that the transcript had been stored on the compartmented server, you believed that was a mistake, correct?

Mr. Morrison. Well, it was represented to me that it was a mistake.

Mr. Castor. Okay.

Mr. Morrison. I was trying to pull up that MEMCON because we were in the process of pulling together Ambassador Bolton's materials and the President's materials for what was a planned bilat between POTUS and President Zelensky. And when I went to do that, I could not pull up the package in our system, and I did not understand why.

I spoke with the NSC Executive Secretariat staff, asked them why. And they did their research, and they informed me it had been moved to the higher classification system at the direction of John Eisenberg, whom I then asked why. I mean, that's -- if that was the judgment he made, that's not necessarily mine to question, but I didn't understand it. And he essentially told me, "I gave no such direction."

He did his own inquiry, and he represented back to me that it was -- his understanding was that it was a kind of administrative error, that when he also gave direction to restrict access, the Executive Secretariat staff understood that as an apprehension that there was something in the content of the MEMCON that could not exist on the lower classification system.

Mr. Castor. So, to the best of your knowledge, there was no malicious intent in moving the transcript to the compartmented server.

Mr. Morrison. Correct.

Mr. Castor. And, to your knowledge, anybody on the NSC staff that needed

access to the transcript for their official duties always was able to access it, correct?

People that had a need to know and a need to access it?

Mr. Morrison. Once it was moved to the compartmented system?

Mr. Castor. Yes.

Mr. Morrison. Yes.

Mr. Castor. Okay.

The MEMCON of the July 25th call was, in your experience, prepared normally?

Mr. Morrison. Yes.

Mr. Castor. That there isn't an exact transcription of what's said on the call, correct?

Mr. Morrison. Correct.

Mr. Castor. That there's note-takers in the Situation Room, and then they prepare a draft, and it's circulated among all relevant parties?

Mr. Morrison. Essentially, yes.

Mr. Castor. And you had responsibility for coordinating any edits?

Mr. Morrison. Yes. We look at the, you know -- for shorthand, we'll call it a transcript, but the memorandum of conversation, and we ensure that that transcription is as close to accurate as possible, given our requirements under the Presidential Records Act.

Mr. Castor. Okay. And, you know, Colonel Vindman testified that he thought it was very accurate. Did you as well?

Mr. Morrison. I viewed it as complete and accurate.

Mr. Castor. Okay.

Colonel Vindman did articulate that he had a couple edits. He wanted "Burisma" inserted, I think it was on page 3 or 4, in place of "the company" in one of the sections

where President Zelensky was talking. Are you aware of that edit request?

Mr. Morrison. I understand that he said in either this proceeding or the deposition that he wanted that request, yes.

Mr. Castor. Okay. At the time, did you understand that he had asked for that?

Mr. Morrison. I don't recall that. It was my practice, if an edit was -- if I believed an edit accurately represented the call, I would accept it. If I didn't hear it in the call, if it didn't exist in my notes, I wouldn't have made the edit.

Mr. Castor. Okay. Yeah, he just -- on page 4, he wanted to swap out the word "company" for "Burisma."

And when that edit from Colonel Vindman was not installed, did he give you any negative feedback that it was crucial that that edit get in the document?

Mr. Morrison. Not that I can recall.

Mr. Castor. Okay. Did he ever raise any concerns to you about the accuracy of the transcript?

Mr. Morrison. Not that I can recall.

Mr. Castor. Did he ever raise any concerns to you generally about the call?

Mr. Morrison. When we were discussing the track-changes version of the MEMCON, I believe he had some concerns about the call. I believe we both agreed we wanted that more full-throated embrace of President Zelensky and his reform agenda and we didn't get it.

Mr. Castor. Okay.

You indicated in your deposition that, when you took over the portfolio for Dr. Hill, July 15th, you were alerted to potential issues in Colonel Vindman's judgment?

Mr. Morrison. Yes.

Mr. Castor. Did she relay anything specifically to you, why she thought that?

Mr. Morrison. Not as such. It was more of an overarching statement from her and her deputy, who became my deputy, that they had concerns about judgment.

Mr. Castor. Okay. Did any other NSC personnel raise concerns with you about Mr. Vindman?

Mr. Morrison. Yes.

Mr. Castor. Or, I'm sorry, Colonel Vindman. And what were some of those concerns that were brought to your attention?

Mr. Morrison. They were --

Ms. Van Gelder. I'm sorry. We are not -- I'm going to instruct him not to answer, because I think that it's beyond the scope of what you're asking for. These concerns, Mr. Castor, predated any involvement with the Ukrainian security-sector assistance.

Mr. Castor. Well, during the deposition, I asked you, Mr. Morrison, whether others raised a concern that Colonel Vindman may have leaked information?

Mr. Morrison. You did ask that, yes.

Mr. Castor. Yeah. And your answer was?

Mr. Morrison. Others have represented that, yes.

Mr. Castor. Okay. And I asked you whether you were concerned Colonel Vindman did not keep you in the loop at all times with his official duties?

Mr. Morrison. Yes.

Mr. Castor. And, in fact, when he went to the National Security Council lawyers following the July 25th call, he did not first come to you. Is that correct?

Mr. Morrison. Correct.

Mr. Castor. And you were his supervisor in the chain of command, correct?

Mr. Morrison. Correct.

Mr. Castor. And, in hindsight, did you wish that he had come to you first before going to the lawyers?

Mr. Morrison. Yes.

Mr. Castor. And why is that?

Mr. Morrison. One, if he had concerns about something, about the content of the call, that's something I would have expected to have been notified of.

I also think, just as a matter of practice, since we both went to the lawyers, we didn't necessarily both need to, and economy of effort may have prevailed.

Mr. Castor. Okay.

At any point subsequently, did he become frustrated that he felt cut out of some of the Ukraine portfolio?

Mr. Morrison. Yes.

Mr. Castor. And what was the nature of his concerns?

Mr. Morrison. Well, he -- I think the easiest way to say it is he was concerned with respect to, for example, the Ukraine trip, that he was not -- he did not go. He asked me why it is my practice to have a number of the conversations with Ambassador Taylor one-on-one. And there were certain other matters.

Mr. Castor. Okay. And did you ever get the sense that you resolved his concerns, or did they linger?

Mr. Morrison. I explained to him my thinking, and that was that.

Mr. Castor. Okay.

Before my time expires, Ambassador Volker, I want to turn quickly to what Ambassador Taylor describes as the irregular channel.

Ambassador Volker. Uh-huh.

Mr. Castor. He was a participant with you and Ambassador Sondland on

hundreds of text messages, correct?

Ambassador Volker. Correct.

Mr. Castor. And so did he ever raise concerns about what was going on during that time period of -- the early August time period?

Ambassador Volker. Only as you saw reflected in the text message themselves, where he said, "Is this now a linkage?" or, "Are we doing this?" He had a concern about, just in general, you know, Rudy Giuliani, which I think all of us had, but the issue is what do you about it, about the role that he's playing. And, as you note, we were in frequent contact, near-daily contact, throughout this entire period.

Mr. Castor. And so did he ever engage you in a one-on-one telephone call to articulate his concerns?

Ambassador Volker. We were on many one-on-one telephone calls. He did not raise those concerns that way, no.

Mr. Castor. Okay.

And this -- I mean, you're an experienced diplomat, at one point in time Senate-confirmed. Ambassador Sondland is the Ambassador to the European Union. Secretary Perry is a Secretary of Energy. Certainly not -- it doesn't sound like an irregular bunch.

Did he ever articulate to you that he thought the three of you working on Ukraine policy was a problem?

Ambassador Volker. No, he did not.

Mr. Castor. And were you surprised during his testimony, when he came in for the deposition, when he sort of established these two tracks, that one was a regular channel that he was in charge of and the other was an --

Ambassador Volker. Yes.

Mr. Castor. -- irregular channel?

Ambassador Volker. I don't agree with his characterization of that, because I had been in my role for a couple of years. I had been the lead on U.S.-Ukraine negotiations and negotiating with Russia and the interagency work and the work with our allies. And we have a Secretary of Energy, who is a Cabinet official. And I think having support from various U.S. officials for our strengthening our engagement with Ukraine I viewed as a very positive thing.

And if the concern is not us so much, then, because we're all U.S. officials, but Mayor Giuliani, I don't view that as a channel at all, because he's not a representative of the U.S. Government. He's a private citizen. I viewed him as perhaps a useful barometer in understanding what may be helpful communication from the Ukrainian Government but not someone in a position to represent the U.S. Government at all.

Mr. Castor. Okay. Thank you.

The Chairman. Okay. Why don't we take a 5- or 10-minute break. If I could ask the audience to allow the witnesses to leave the room first. We are in recess.

[Recess.]

[6:00 p.m.]

The Chairman. The committee will come to order.

We're now going to proceed to a 15-minute round by either chair and majority or ranking member and minority.

Mr. Goldman, you're recognized for 15 minutes.

Mr. Goldman. Thank you, Mr. Chairman.

Ambassador Volker, I do want to just correct the record from the first round. You were right to point out -- you asked if a quote that I represented you made in the deposition was your words, and I actually read the wrong part in the quote.

What you actually said was, "It creates a problem, again, where all of the things that we're trying to do to advance the bilateral relationship, strengthen our support for Ukraine, strengthen the positioning against Russia, is now getting sucked into a domestic political debate in the U.S., domestic political narrative that overshadows that."

So you were right to point that out, and I apologize for the mistake.

I want to go back to a couple things that you said during the minority's round. Can you repeat again the readout that you got of the July 25th call?

Ambassador Volker. Yes. I received a readout from both a Ukrainian colleague, Andriy Yermak, as well as from a U.S. person. I don't now remember whether it was my staffer or someone from the Embassy or where.

And the readout was that it was a good phone call, that it was a congratulatory phone call for the President's win in the parliamentary election, that President Zelensky did reiterate his commitment to fighting corruption and advancing reform in Ukraine, and that President Trump renewed his invitation for President Zelensky to come to the White House.

Mr. Goldman. Okay. And I believe you said that that readout was exactly as

you expected the call to go. Is that right?

Ambassador Volker. Exactly. That's what we were trying to tee up.

Mr. Goldman. Okay.

I just want to show you once again the July 25th text that you wrote to Andriy Yermak, which was the message that you were relaying to him so that he could prepare President Zelensky. And you'll recall this, right, where you said that -- this was the message.

"Good lunch. Thanks. Heard from White House. Assuming President Z convinces Trump he will investigate, 'get to the bottom of what happened in 2016,' we will nail down date for visit to Washington."

That's what you expected from the call, right?

Ambassador Volker. I expected that President Zelensky would be convincing in his statements and comments to President Trump, that he was exactly that, that he would investigate, get to the bottom of things that had happened in 2016, and that if he was strong in conveying who he is as a person in doing that, that President Trump would be convinced and renew the invitation to the White House.

Mr. Goldman. Right. But you don't mention corruption in this text, do you?

Ambassador Volker. This is --

Mr. Goldman. The word "corruption" is not in this text, right?

Ambassador Volker. The word "corruption" is not there. Investigating things that have happened in the past that would be corrupt would be investigating corruption.

Mr. Goldman. You said a couple times in your opening statement and you just said it again that, you know, investigating things that happened in the past -- you are aware, of course, that most investigations relate to things that happened in the past, right?

Ambassador Volker. Sure.

Mr. Goldman. Sorry?

Ambassador Volker. Yes.

Mr. Goldman. Okay. So that doesn't really move the needle, whether it's current or past, in terms of the subject of the --

Ambassador Volker. Oh. Yeah --

Mr. Goldman. -- investigation, right?

Ambassador Volker. -- the subject of the investigation are things that happened in the past.

Mr. Goldman. You also talked a little bit about the meeting that you had on July 26th with President Zelensky and Ambassador Sondland in Kyiv. Is that right?

Ambassador Volker. On the 26th?

Mr. Goldman. It may --

Ambassador Volker. I had a meeting with President Zelensky, yes.

Mr. Goldman. Okay. And I believe you testified that the topic of investigations did not come up at all. Is that right?

Ambassador Volker. Yeah, I don't recall them coming up.

Mr. Goldman. Okay.

Ambassador Volker. Just the general phone call.

Mr. Goldman. You didn't take notes of that call, of that meeting, right?

Ambassador Volker. No, I did not.

Mr. Goldman. Right, because you had a -- there were staffers there to do that.

Ambassador Volker. Correct.

Mr. Goldman. And so, if there are two staffers who took notes of that meeting and testified that the subject of either sensitive topics or investigations came up, are we

better off taking their word for it than yours?

Ambassador Volker. I have no reason to doubt their notes if there were notes taken contemporaneously at the meeting.

Mr. Goldman. Okay.

Another witness testified before us, Laura Cooper, about a meeting that she had with you on August 20th. Do you recall having that meeting with her? Because you didn't mention it in your deposition.

Ambassador Volker. Yes, I did.

Mr. Goldman. Okay.

Ambassador Volker. I did mention that I had been making the rounds to weigh in on lifting the hold on security assistance, to do that with all of the interagency players.

Mr. Goldman. Uh-huh. And she recalled with some specificity that meeting, which I believe was also based on her notes, that you described the statement that you were trying to get President Zelensky to make to -- and I'll quote what she said -- "disavow interference in U.S. elections and commit to the prosecution of individuals involved in election interference." And if he were to agree to do that, she testified, then you thought that it might help to lift the hold on security assistance.

Is that your recollection of the conversation as well?

Ambassador Volker. Not exactly.

Mr. Goldman. So how does yours differ?

Ambassador Volker. I recall talking about the statement that we had discussed earlier, the one that had been the subject of these exchanges between Mr. Yermak and myself; and myself, Ambassador Sondland, and Rudy Giuliani; and then back to Yermak.

So I discussed that this is an effort we are doing, that this could be helpful in getting a reset of the thinking of the President, the negative view of Ukraine that he had.

And if we did that, I thought that would also be helpful in unblocking whatever hold there was on security assistance, that if there's this negative presumption about Ukraine, getting this stuff on track would be helpful.

Mr. Goldman. All right. So that's a different interpretation, but you don't doubt that what she testified is -- is inaccurate, do you?

Ambassador Volker. I believe she accurately reflected what she understood from the conversation.

Mr. Goldman. Okay.

You testified a little bit about the June 28th conference call that you had with Ambassador Sondland, Ambassador Taylor -- I'm not sure if Deputy Secretary Kent was on the line --

Ambassador Volker. I don't believe so.

Mr. Goldman. -- and Secretary Perry before you looped in President Zelensky. Am I right about the participants of that, or was Secretary Perry not on it?

Ambassador Volker. Yeah, I am pretty sure that Deputy Assistant Secretary Kent was not on it. I don't remember whether Secretary Perry was on it. And I don't remember whether I stayed on for President Zelensky joining the call or not.

Mr. Goldman. Okay. Were there --

Ambassador Volker. -- two separate calls.

Mr. Goldman. Were there any staff members or note-takers on the call?

Ambassador Volker. I don't believe so.

Mr. Goldman. Why?

Ambassador Volker. We were having a call among ourselves to talk about what were the messages we felt we needed to convey.

Mr. Goldman. Okay.

And, at that point, we've had other testimony from people who did take notes that there was a discussion about the investigations or what you needed to do -- what President Zelensky needed to do in order to get the White House meeting. Do you recall that?

Ambassador Volker. I recall seeing that in Ambassador Taylor's testimony. I believe there may have even been a text message to that effect.

And, again, it comes down to what are we talking about in terms of "these investigations." Because what I certainly understood is we're talking about Ukraine looking into and fighting corruption internally and being convincing about this, presenting the new President and the new team as a change in Ukraine.

Mr. Goldman. Well, you understood that the investigations were Burisma and the 2016 election, right?

Ambassador Volker. Yes.

Mr. Goldman. Okay. And you interpreted those --

Ambassador Volker. Well --

Mr. Goldman. -- to be -- you interpreted those to be okay because, in theory, they were looking into Ukrainians.

Ambassador Volker. Correct.

Mr. Goldman. Okay. But we can agree, can we not, that the investigations, all the investigations that we're talking about here today were Burisma and the 2016 election?

Ambassador Volker. Correct.

Mr. Goldman. Okay. Now -- and what you then amended your testimony today to say is that, in retrospect, you did not realize that the purpose for Mr. Giuliani and President Trump to want the Burisma investigation was for political benefits in digging up

dirt or getting some information on Vice President Biden. That's what you learned subsequently, right?

Ambassador Volker. It's correct that I learned about the President's interest in investigating Vice President Biden from the phone call transcript which came much, much later. From Giuliani, I didn't know that he was actively pursuing this. I did know that he raised this with me directly and I had pushed back on it.

Mr. Goldman. Well, you knew that Ambassador Sondland was pursuing this at the July 10th meeting when he raised these investigations himself.

Ambassador Volker. Again, he didn't specify Biden, and he didn't specify Burisma, as I recall, either. I understood it to be a generic comment and something, again, not appropriate for that meeting.

Mr. Goldman. Right. I understand, but -- Biden wasn't mentioned. But you do agree that when investigations are referenced in this context, it is Burisma and the 2016 election, no?

Ambassador Volker. Yes. That's what I understand.

Mr. Goldman. Right.

And, on that July 10th call, when Ambassador Sondland raised the investigations, he did that in response to a question from the Ukrainians about the White House meeting. Isn't that right?

Ambassador Volker. Can you repeat the question? I didn't catch that.

Mr. Goldman. You said that Ambassador Sondland mentioned specific investigations at the July 10th meeting in Ambassador Bolton's office.

Ambassador Volker. Uh-huh.

Mr. Goldman. And you said that you thought that was inappropriate.

Ambassador Volker. Yes.

Mr. Goldman. Didn't he make that comment in response to a question from the Ukrainian officials about when they could schedule the White House meeting?

Ambassador Volker. That I'm not sure about.

Mr. Goldman. Okay.

Ambassador Volker. I remember the meeting essentially already being over and then Ambassador Sondland bringing that up.

Mr. Goldman. Uh-huh.

And in the July 2nd or 3rd meeting in Toronto that you had with President Zelensky, you also mentioned investigations to him, right?

Ambassador Volker. Yes.

Mr. Goldman. And, again, you were referring to the Burisma and the 2016 election.

Ambassador Volker. I was thinking of Burisma and 2016.

Mr. Goldman. Okay. And you understood that that's what the Ukrainians interpreted references to investigations to be, related to Burisma and the 2016 election?

Ambassador Volker. I don't know specifically at that time if we had talked that specifically, Burisma/2016. That was my assumption, though, that they would've been thinking that too.

Mr. Goldman. Okay.

Now, Mr. Morrison, when did you have that conversation with Fiona Hill about Burisma and the parallel track involving Ambassador -- parallel process, rather, involving Ambassador Sondland and Rudy Giuliani? Do you recall?

Mr. Morrison. We had a number of hand-off discussions between 1 July and 15 July.

Mr. Goldman. Okay. So, in that period of time, you were certainly aware of

this effort to promote this Burisma investigation that Ambassador Sondland and Rudy Giuliani were going about, or at least you had heard about it from Dr. Hill.

Mr. Morrison. I had heard about it from Dr. Hill.

Mr. Goldman. Okay.

I want to pull up another excerpt from a recent Wall Street Journal article that quotes an email from July 13th that Ambassador Sondland sent to you.

And he wrote to you, quote, "Sole purpose is for Zelensky to give POTUS assurances of new sheriff in town. Corruption ending, unbundling moving forward, and any hampered investigations will be allowed to move forward transparently."

And you responded, "Tracking."

What did you understand Ambassador Sondland to mean when he wrote to you "any hampered investigations will be allowed to move forward transparently"?

Mr. Morrison. I don't know that I had any understanding. These are emails -- July 13th emails. I wasn't even in the seat yet. But I knew that among the head-of-state meetings we were attempting to schedule was one between the President and President Zelensky.

Mr. Goldman. Right. But it was before this that Dr. Hill had told you about Burisma and Ambassador Sondland -- in particular, his desire for this parallel process to investigate Burisma, right?

Mr. Morrison. Yes.

Mr. Goldman. So you had that association when you received his email asking you about investigations, correct?

Mr. Morrison. Not necessarily.

Mr. Goldman. No?

Mr. Morrison. No.

Mr. Goldman. Why not?

Mr. Morrison. Because Ambassador -- among the discussions I had with Dr. Hill were about Ambassador Sondland. I think she might have coined it the "Gordon problem." And I decided to keep track of what Ambassador Sondland was doing. I didn't necessarily always act on things Gordon suggested he believed were important.

So he wanted to get a meeting. I understood that the President wanted to do and had agreed to a meeting. And so I was working -- I was tracking that we needed to schedule a meeting.

Mr. Goldman. You were not endorsing the notion of President Zelensky sending a message about investigations? Is that your testimony?

Ambassador Volker. That is my testimony.

Mr. Goldman. Okay.

Ambassador Volker, I want to jump ahead. After the aid was released, you went to the YES conference, right, in Ukraine?

Ambassador Volker. [Nonverbal response.]

Mr. Goldman. And are you aware that Ambassador Taylor, who testified based on quite detailed notes, indicated that, earlier, a few days before that, Ambassador Sondland had told him that President Trump is a businessman, and so, before he writes a check, he likes to see people pay up, something to that effect. Are you aware of that?

Ambassador Volker. I am familiar with that testimony.

Mr. Goldman. And you're also familiar that Ambassador Taylor said that you said something very similar to him when you were in Ukraine for the YES conference. Do you recall saying that to Ambassador Taylor?

Ambassador Volker. Yes, I do. I was repeating what Gordon Sondland had said to me to explain to Bill Taylor what that understanding was.

Mr. Goldman. And in what context did Ambassador Sondland say that to you?

Ambassador Volker. I think we were talking about the release of the hold on security assistance. And he was saying that the President has -- he sees -- he's already, you know, got a negative view of Ukraine. He sees a check on his desk that's going to the Ukrainians. He's not sure about them, so he wants to hold on to it until he's assured.

Mr. Goldman. Right. And the pay-up before he writes the check is to get the investigations that he wants. Isn't that right?

Ambassador Volker. That was not clear to me.

Mr. Goldman. What did you think it meant?

Ambassador Volker. I didn't think that there was a pay-up. As we said, the language was similar. I had heard from Gordon that he sees this check, he's not sure he wants to -- he wants to make sure that he's got a deal with the Ukrainians. I didn't know specifically, other than this, the generic formulation.

Mr. Goldman. Mr. Chairman, I yield back.

The Chairman. Fifteen minutes to Ranking Member Nunes.

Mr. Nunes. Parliamentary inquiry, Mr. Chair. Do you expect any more of these magical 15-minute devotions that you've come up with in the back?

The Chairman. I don't know how magical they are. They are prescribed by House Resolution 660, that we can have successive rounds of up to 45 minutes. So this is part of the prescribed procedure under the House resolution.

Mr. Nunes. Do you expect you're going to have more this evening? Are you -- or is this our last?

The Chairman. I do not expect more will be necessary.

Mr. Nunes. Okay. I thank the gentleman.

So, for everyone watching, this is another example of how out of control this process has become, where the Democrats just magically give themselves additional minutes. Which, they're right, in the little special rule that they wrote, they can do, but you'd at least think that they'd have the decency to just tell us that you're gonna have 15 minutes more.

And I would say that you can go 4 hours, we can go 5 hours, we'll give you all you want. You can keep digging if you want. The deeper the hole you dig, I think the more viewers will turn off, because people just aren't buying the drug deal that you guys are trying to sell.

I would add that, since we are getting into prime time, these are two witnesses that were your witnesses that you called in to depose. We still ask for witnesses that you did not depose, including the whistleblower, who you and others claim not to know. Which we still need to get to the bottom of that, because it is the most important material fact witness to how this whole mess began in the first place.

Secondly, we've asked for the DNC operatives that were working with the Ukrainians to dig up dirt for what you call -- or what the left calls conspiracy theories. Which, they are right, they're conspiracy theories of dirt that they've dug up to spin their own conspiracy theories to attack the Trump campaign in the 2016 election.

So I have no more questions for these witnesses. I know our members do.

Mr. Castor, do you have a little bit of cleanup here?

Mr. Castor. Thank you, Mr. Nunes. I'll try to be quick and yield some time back so we don't have to use every last minute.

Ambassador Volker, are you aware of a statement just last week from Foreign Minister Prystaiko about the -- he said that no one ever told the Ukrainians, certainly not him, that there was any linkage between the security assistance funds and investigations.

Ambassador Volker. I saw that statement, yes.

Mr. Castor. And do you know the Foreign Minister?

Ambassador Volker. I do.

Mr. Castor. And during times relevant, did you ever have any discussions with him about the investigations and links?

Ambassador Volker. Not about investigations with him. I believe I kept that discussion to being with Mr. Yermak. And we did discuss with Foreign Minister Prystaiko and, at the time, his diplomatic advisor security assistance after it was raised after August 29th, and I did discuss that with him.

Mr. Castor. The primary person you worked with was Mr. Yermak?

Ambassador Volker. Yes.

Mr. Castor. And Mr. Yermak also had some meetings with Ambassador Sondland. Did he ever give -- did Mr. Yermak ever give you any feedback from his interactions with Ambassador Sondland?

Ambassador Volker. I can't say whether he did or didn't. We were in frequent contact, and we were just talking about the issues as we went along.

Mr. Castor. The episode at Warsaw where, apparently, Ambassador Sondland pulled Mr. Yermak aside, did he give you -- did Mr. Yermak give you any feedback on that meeting?

Ambassador Volker. I did not get anything specific after that. This was around, I believe, September 1st or 2nd. And it was at that time that I had been, I think, texted by Mr. Yermak and was subsequently in touch with him and Prystaiko, where I told them both and also the Defense Minister -- I told them all, "Don't worry. We know about this. We are trying to fix it." And I think I left the conversation at that.

Mr. Castor. And those Ukrainian officials, to the best of your knowledge, they

trusted you?

Ambassador Volker. Very much so. We had a very close relationship.

Mr. Castor. And so, when you made statements like that to them, do you think they believed me?

Ambassador Volker. I think they believed me. I think they would also have other conversations and they would hear things from other people. But I also think that they knew I was sincere with them.

Mr. Castor. And they also trusted Ambassador Taylor?

Ambassador Volker. Yes.

Mr. Castor. I'd just like to demystify a little bit of the whole Mayor Giuliani role here. You met with him, I believe, one time?

Ambassador Volker. That's correct.

Mr. Castor. And you had some -- you exchanged some text messages with him, correct?

Ambassador Volker. Yes, between I guess it was the 10th of July and the -- around the 13th of August.

Mr. Castor. Okay. And, during your deposition, we sort of did an accounting of your communications with Mr. Giuliani, and it wasn't that -- there weren't that many. We sort of accounted for them all.

And then Ambassador Sondland, when he came in, he didn't have -- you know, he didn't have any one-on-one meetings with Mayor Giuliani, to your knowledge. Is that correct?

Ambassador Volker. I don't believe he did, but I don't know.

Mr. Castor. And, in fact, I think Ambassador Sondland testified that there were a couple conference calls that, you know, he may have been on with you.

Ambassador Volker. That is true.

Mr. Castor. Okay.

Just getting back to the regular channel that Ambassador Taylor coined in his deposition testimony, did you ever have an opportunity to sort of close the loop with him about any concerns whatsoever? Or was it all just these specific instances raised in the texts?

Ambassador Volker. Only those specific instances.

Mr. Castor. Do you think Ambassador Taylor, in your communications with him, believed that Mr. Giuliani was in far greater communication with yourself, Secretary Perry, and Ambassador Sondland?

Ambassador Volker. I don't know what he thought.

Mr. Castor. Okay.

I think that's all I have, Mr. Nunes. Do you --

Mr. Nunes. I have nothing more.

Would the gentleman allow us to use our magic minutes to yield to one of our members who'd like to go?

The Chairman. The House rules don't permit that, Mr. Nunes.

Mr. Nunes. We yield back.

The Chairman. We'll now go to 5-minute member questions. I recognize myself for 5 minutes.

Ambassador Volker, I want to ask you about something in your opening statement with respect to the July 10th meeting.

You testify, "I participated in July 10 meeting between National Security Advisor Bolton and then-Ukrainian Chairman of the National Security and Defense Council Alex Danylyuk. As I remember, the meeting was essentially over when Ambassador Sondland

made a generic comment about investigations. I think all of us thought it was inappropriate. The conversation did not continue, and the meeting concluded."

Ambassador Volker, we asked you about that meeting during your deposition, and you told us nothing about this. I believe we asked you about why the meeting came to an end and why you had earlier indicated, I think, to Ambassador Taylor that it did not go well, and your answer was that Danylyuk was in the weeds on national security policy.

Why didn't you tell us about this?

Ambassador Volker. Because that's what I remembered from the meeting, what I provided in my October 3rd statement. As I said, I've learned other things, including seeing the statements from Alex Vindman and from Fiona Hill, and that reminded me that, yes, at the very end of that meeting, as was recounted in Colonel Vindman's statement, I did remember that, that, yes, that's right, Gordon did bring that up, and that was it.

The Chairman. So, at the time we deposed you -- and I think we were there for 6, 7, or 8 hours -- and we were asking you specifically about what you knew about these investigations, you didn't remember that Gordon Sondland had brought this up in the July 10th meeting with the Ukrainians and Ambassador Bolton called an end to the meeting? Ambassador Bolton described that meeting as some drug deal that Sondland and Mulvaney cooked up. You had no recollection of that?

Ambassador Volker. Right. So, in terms of Gordon bringing it up, no, I did not remember that at the time of my October 3rd testimony. I read the account by Alex, and that jogged my memory. I said, yes, that's right, that did happen.

I do not, still to this point, recall it being an abrupt end to the meeting. The meeting was essentially over, and we got up, we went out to the little circle in front of the White House, we took a photograph. It did not strike me as abrupt.

The Chairman. Now, Ambassador Volker, you said in your testimony today, "I think all of us thought it was inappropriate."

Now, if, as you say, Ambassador Sondland only mentioned investigations in the Bolton meeting and you don't recall hearing him be more specific, although others have testified that he was in the Ward Room, why did you think it was inappropriate?

Ambassador Volker. Yeah, I thought it was -- put it this way. It was something of an eye-roll moment, where you have a meeting, you're trying to advance the substance of the bilateral relationship. We have the head of the National Security and Defense Council. It was a disappointing meeting because I don't think that the Ukrainians got as much out of that, in terms of their presentation, as they could have. And then this comes up at the very end of the meeting. It's like, this is not what we should be talking about.

The Chairman. But, Ambassador, you've said that you think it was appropriate to ask the Ukrainians to do investigations of 2016 and Burisma as long as Burisma didn't mean the Bidens --

Ambassador Volker. Right.

The Chairman. -- something you have now, I think, understand you should have seen otherwise. But, nonetheless, if it was appropriate, why are you saying today that all of us thought it was inappropriate?

Ambassador Volker. Yeah, because it was not the place or the time to bring up that. This was a meeting between the National Security Advisor and the Chairman of the National Security and Defense Council, first high-level meeting we're having between Ukraine and the United States after President Zelensky's election --

The Chairman. Well, is part of the reason it was inappropriate also that it was brought up in the context of trying to get the White House meeting?

Ambassador Volker. Possibly, although I don't recall that being -- I know this was the counsel's question. I don't remember the exact context of when that came up. I viewed the meeting as essentially having ended.

The Chairman. Now, I think you said in your updated testimony that you do think it's inappropriate and objectionable to seek to get a foreign government to investigate a political rival. Am I right?

Ambassador Volker. To investigate the Vice President of the United States or someone who was a U.S. official. I don't think we should be asking foreign governments to do that. I would also say that's true of a political rival.

The Chairman. And you recognized when you got the call record, when you finally did see the call record, that's what took place in that call, correct?

Ambassador Volker. That's correct.

The Chairman. Mr. Morrison, Ambassador Volker thinks it's inappropriate to ask a foreign head of state to investigate a U.S. person, let alone a political rival, but you have said you had no concern with that. Do you think that's appropriate?

Mr. Morrison. As a hypothetical matter, I do not.

The Chairman. Well, I'm not talking about a hypothetical matter. Read the transcript. In that transcript, does the President not ask Zelensky to look into the Bidens?

Mr. Morrison. Mr. Chairman, I can only tell you what I was thinking at the time. That is not what I understood the President to be doing.

The Chairman. But, nonetheless, this was the first and only time where you went from listening to a Presidential call directly to the national security lawyers, is it not?

Mr. Morrison. Yes, that's correct.

The Chairman. And I think you've said that your concern was not that it was

unlawful but that it might leak. Is that right?

Mr. Morrison. That is correct.

The Chairman. Now, the problem with the leaking is that what would be leaking is a President asking a foreign head of state to investigate Mr. Biden. Isn't that the problem?

Mr. Morrison. Well, I believe I stated I had, sort of, three concerns about what the impact of the call leaking might be.

The Chairman. Well, if it was a perfect call, would you have had a concern of it leaking?

Mr. Morrison. No. Well, no, I would still have a concern about it leaking.

The Chairman. Okay.

And would you have thought it was appropriate if President Trump had asked Zelensky to investigate John Kasich or to investigate Nancy Pelosi or to investigate Ambassador Volker? Would that be appropriate?

Mr. Morrison. In those hypothetical cases, no, it's not appropriate.

The Chairman. But you're not sure about Joe Biden?

Mr. Morrison. Sir, again, I can only speak to what I understood at the time and why I acted the way I did at the time.

The Chairman. Finally, my colleagues asked about, well, doesn't aid get held up for all kinds of reasons.

Ambassador Volker, have you ever seen military aid held up because a President wanted his rival investigated?

Ambassador Volker. No, I have not seen that.

The Chairman. Have you ever seen that, Mr. Williams -- Mr. Morrison. I'm sorry.

Mr. Morrison. No, Chairman.

The Chairman. Okay.

I yield to the ranking member.

Mr. Nunes. So you took 2 additional minutes. Are you giving our side 7 minutes?

The Chairman. Of course.

Mr. Nunes. I recognize Mr. Turner.

Mr. Turner. Thank you.

Ambassador Volker, Mr. Morrison, good to see you again. I appreciate your service to your country and your service in government. Our country is safer today because of the work of both of you men.

I want you to know that, during all the testimony that we've had, no one has ever alleged that either of you have done anything inappropriate or improper, and everyone has spoken of both of you as having a high level of professionalism and a high degree of ethical standards.

Ambassador Volker, I appreciated in your opening statement your comments of your work to focus on Russia as an invasion of Ukraine and an occupation and your work on legal defensive arms. That would include the Javelins, would it not, Ambassador Volker?

Ambassador Volker. Yes, that's right.

Mr. Turner. And that made a big difference for Ukraine, did it not?

Ambassador Volker. Very big difference.

Mr. Turner. Mr. Morrison, would you speak to -- tell us about your military service.

Mr. Morrison. Mr. Chairman, I'm a U.S. Naval Reserve officer. I'm an

intelligence officer.

Mr. Turner. And where did you go to law school?

Mr. Morrison. George Washington University.

Mr. Turner. Now, gentlemen, there's been a lot of talk about a lot of people -- and we're going to have to pick up the pace here, because these are, like, short periods of time that we have now for this portion of questions -- a lot of people talking about their perceptions, their beliefs, their feelings even, what they heard, and their understandings and their thoughts.

Ambassador Taylor, Mr. Kent, Ambassador Yovanovitch, and Lieutenant Colonel Vindman all had conversations with each other and with other people, and all had a whole bunch of hearsay.

But I can assure you, this boils down to just one thing. This is an impeachment inquiry concerning the President of the United States. So the only thing that matters, besides all these people talking to each other and all their feelings and all of their thoughts and understandings, it really only comes down to: What did the President of the United States intend, and what did he say, and what did the Ukrainians understand or hear?

Ambassador Volker, you're one of the first people that we've had in these open, public testimony that's had conversations with both. So I get to ask you: You had a meeting with the President of the United States, and you believe that the policy issues that he raised concerning Ukraine were valid, correct?

Ambassador Volker. Yes.

Mr. Turner. Did the President of the United States ever say to you that he was not going to allow aid from the United States to go to the Ukraine unless there were investigations into Burisma, the Bidens, or the 2016 elections?

Ambassador Volker. No, he did not.

Mr. Turner. Did the Ukrainians ever tell you that they understood that they would not get a meeting with the President of the United States, a phone call with the President of the United States, military aid or foreign aid from the United States unless they undertook investigations of Burisma, the Bidens, or the 2016 elections?

Ambassador Volker. No, they did not.

Mr. Turner. You know, pretty much, Ambassador Volker, you just, like, took apart their entire case. I mean, if the President of the United States does not believe or intend it and the Ukrainians don't understand it -- and you're the only one who actually stands in between them.

Now, I've got to ask you, Ambassador Volker, the Three Amigo thing or whatever that they're trying to disparage you with, you're not part of an irregular channel, right, Ambassador Volker? Aren't you the official channel?

Ambassador Volker. That's correct.

Mr. Turner. Explain that. Explain how you are the official channel and not an irregular channel.

Ambassador Volker. Right. So I was appointed by the Secretary of State, Secretary Tillerson, in July of 2017 to be the U.S. Special Representative for Ukraine Negotiations. That's a role that's different from Assistant Secretary of State or different from Ambassador in Ukraine.

That role is particularly focused on the diplomatic activities surrounding the efforts to reverse Russia's invasion and occupation of Ukraine. It is Minsk agreement implementation. It is the Normandy process with France and Germany. It is support from NATO. It is support for sanctions from the European Union. It's the OSCE and the monitoring missions. It is the efforts of individual allies like Poland, like the U.K., like

Canada, that are supporting Ukraine. It is work at a senior level in the interagency with --

Mr. Turner. Excellent. I'm going to cut you off there.

Ambassador Volker, you are also one of the few people who has actually spoken to Giuliani, the so-called irregular channel. Again, all these other people had feelings and understandings about what Giuliani was doing.

Did Giuliani ever tell you that United States aid or a meeting with the President of the United States would not occur for the Ukrainians until they agreed to an investigation of Burisma, the Bidens, or the 2016 election?

Ambassador Volker. Yeah. Everything I heard from Giuliani I took to be his opinion.

Mr. Turner. Excellent.

Ambassador Volker. It was not going --

Mr. Turner. So I would assume, then, that the Ukrainians never told you that Giuliani had told them that, in order to get a meeting with the President, a phone call with the President, military aid or foreign aid from the United States, that they would have to do these investigations.

Ambassador Volker. No.

Mr. Turner. Great. Okay.

Mr. Morrison, you testified that you spoke to Ambassador Sondland and he told you of a conversation that he had with the President of the United States.

On page 128 of his testimony, he relates the content of a conversation that he had with the President, and he was asked about it. It's only one he relates. And he said: I didn't -- he was asked whether or not there was a quid pro quo. He said: I didn't frame the question basically to the President that way, as a link. I did not frame the

question that way. I asked the open-ended question, what do you want? This is Mr. Sondland in his testimony, asking this question to the President of the United States.

And this is what he reports that the President of the United States. He said, I want nothing. I don't want to give them anything. I don't want anything from them. I want Zelensky to do the right thing. That's what he -- and he kept repeating no quid pro quo over and over again.

Mr. Morrison, do you have any reason to believe that Mr. Sondland is not telling the truth as to the content of his conversation with the President of the United States?

Mr. Morrison. No, Congressman.

Mr. Turner. Now, do either of you have any information or evidence that anyone who has testified before this committee, either in the secret dungeon testimonies that have been released or in these open testimonies, has perjured themselves or has lied to this committee?

Ambassador Volker. I have no reason to think that.

Mr. Turner. Mr. Morrison?

Mr. Morrison. No, sir.

Mr. Turner. Mr. Morrison, Lieutenant Colonel Vindman reported to you. Is that correct?

Mr. Morrison. He did, sir.

Mr. Turner. Now, you have a legal background. He said that he listened to the phone call, a phone call which you said you saw nothing that had occurred illegally, and he said that he believed the President of the United States demanded to President Zelensky that these investigations move forward.

Do you believe -- because he only was telling us his opinion. Do you believe, in your opinion, that the President of the United States demanded that President Zelensky

undertake these investigations?

Mr. Morrison. No, sir.

Mr. Turner. To both of you, Ukraine is an aspirant to the EU. Ambassador Sondland is the Ambassador to the EU. Is the Ukraine in the Ambassador's portfolio?

Ambassador Volker?

Ambassador Volker. Yes. Also because the EU sanctions on Ukraine are incredibly important.

Mr. Turner. Mr. Morrison?

Mr. Morrison. I agree, sir.

Mr. Turner. I yield back.

The Chairman. Mr. Himes.

Mr. Himes. Thank you, Mr. Chairman.

Thank you, gentlemen, for your testimony today.

President Trump has described his July 25th phone call with President Zelensky as, quote, "perfect." And I think he's done that on Twitter not once, not twice, but, by my count, 11 times.

It feels to me like this characterization of "perfect" is of a piece with the idea that we hear in defense of the President's request to the Ukrainians that that's just the normal course of business pursuing anticorruption. And I've been concerned from the start that this is actually not about going after corruption; it is, in fact, about aiming corruption at the Vice President.

Mr. Morrison, you listened in on the call in the White House Situation Room. Did you hear the President mention the company CrowdStrike and the server?

Mr. Morrison. I believe so. Yes, sir.

Mr. Himes. Did you hear President Trump mention the Bidens?

Mr. Morrison. Yes, sir.

Mr. Himes. Did you hear President Trump in the length of that phone call use the word "corruption"?

Mr. Morrison. No, sir. Well -- sir, I don't believe he did.

Mr. Himes. Was the request that Ukraine investigate CrowdStrike and the Bidens consistent with what you understood to be official U.S. policy towards combating corruption in Ukraine?

Mr. Morrison. Sir, it was the first I heard of much of this.

Mr. Himes. In fact, in your deposition, you testified that you wanted to stay away from what you described as this, quote, "bucket of investigations." Why did you want to stay away from those issues?

Mr. Morrison. That was what I was advised by Dr. Hill.

Mr. Himes. You also testified that the President's call was not -- and I'm quoting you here -- "the full-throated endorsement of the Ukraine reform agenda that I was hoping to hear." What did you mean by that?

RPTR ZAMORA

EDTR ROSEN

[6:39 p.m.]

Mr. Morrison. Sir, what we, myself, Colonel Vindman, others, what we prepared in the package we provided the President was background on President Zelensky, background on his positions about reforming Ukraine, reforming its institutions, rooting out corruption.

We were hoping -- we recommended the President very clearly support what President Zelensky had run on in his own election, and what his Servant of the People party had run on in its election where it received a majority mandate.

Mr. Himes. But that didn't come up in the call, did it?

Mr. Morrison. No, sir.

Mr. Himes. Are you aware of any other discussion in which the President actually raised those things with the new Ukrainian President?

Mr. Morrison. Corruption reform?

Mr. Himes. Yes.

Mr. Morrison. Sir, it's been some time since I refreshed myself on the discussion that took place at the U.N. General Assembly, so I hesitate to say did he ever raise it, but he did not raise it at the time of the 25 July phone call.

Mr. Himes. Okay. Switching gears a little bit. You strike me as a process guy, and it's nagging at me because you characterized the -- Ambassador Sondland's linking in whatever way it happened of aid to an investigation as the Gordon problem. You said it caused you to roll your eyes. Ambassador Volker said it was -- everybody in the July 10 meeting thought it was inappropriate. John Bolton characterizes this as the drug deal.

So it seems like everybody in the room understands that there's a huge problem

here. My understanding is that it would be normal course of business when you have an ambassador out there going rogue, as apparently there was consensus Ambassador Sondland was doing, that either the National Security Advisor John Bolton or the Secretary of State might reign them in. Why didn't that happen?

Mr. Morrison. Sir, I can't speak to that, but I would generally agree that ambassadors work for the Secretary of State and the President.

Mr. Himes. Do you have -- you don't have any idea -- you worked for him. You don't have any idea why John Bolton would characterize what the ambassador was doing as a drug deal but not reign them in?

Mr. Morrison. Ambassadors don't work for the National Security Advisor, sir.

Mr. Himes. No, but John Bolton is National Security Advisor. He presumably spends time with the Secretary of State. I'm just puzzled that everybody in the room is, you know, characterizing this as the Gordon problem or inappropriate or a drug deal, and the Secretary of State does nothing.

Mr. Morrison. Sir, I'm sorry. Was there a question?

Mr. Himes. Well, yeah. I just -- do you have any -- you don't have any insight into that?

Mr. Morrison. No, sir.

Mr. Himes. Ambassador Volker, you testified that you were troubled once you read the record of the President's July 25 call. You testified, quote, that asking the President of Ukraine to work together with the Attorney General to look into this, you can see as it has happened this becomes explosive in our domestic politics, and in your new testimony, you call this unacceptable. What specifically in that call to the Ukraine President do you find unacceptable or troubling?

Ambassador Volker. It is the reference to Vice President Biden.

Mr. Himes. Thank you. I yield back the balance of my time.

The Chairman. Mr. Conaway.

Mr. Conaway. Thank you, Mr. Chairman.

This morning we heard much about July 25 call in which the President asked for a favor. At least in Lieutenant Colonel Vindman's mind, that was the equivalent to a demand, an order, a requirement.

And yet, in the last part of the conversation between the two heads of state, President Trump talks about a prosecutor that he's particularly in favor of and would like to see stay there. And Zelensky, though, says, Mr. President, no, since we've won the absolute majority in our parliament, the next prosecutor general will be 100 percent my person, my candidate.

To either one of you, does that sound like a head of state who has been cowed or bullied and is under the thumb of the President of the United States?

Ambassador Volker. Not at all.

Mr. Morrison. No, sir.

Mr. Conaway. All right. The impact on the pause that occurred, the 55-day pause in lethal assistance, or the security assistance, none of us had really understood exactly what happened during that timeframe. No one knew about it other than internal U.S. folks until late August, and so the Russians would not necessarily have known about it. The potential impact that I agree with on Russia's interpretation of our support for Ukraine wasn't known until those last 14 days. But the impact on the lethal aid that they already had, should Russia had tried to move the line of contact further west with their tanks, would the lethal assistance that we'd already given been available to them to push back on that?

Ambassador Volker. Yes, it would.

Mr. Conaway. Mr. Morrison?

Mr. Morrison. Sir, I agree with that. But I would also add, the hold, as I understood it, applied to Ukraine's security assistance, UASI, U-A-S-I, and FMF. It did not apply to FMS, and the Javelins were provided under FMS.

Mr. Conaway. Okay. So the most lethal weapon that President Trump provided to the Ukrainians that President Obama and his public -- his national policy, which he set, was available to them should the Russians have pushed their tanks west, the Javelins?

Mr. Morrison. Yes, sir.

Mr. Conaway. Throughout that process, even with the pause, even with all the stuff that was going on?

Mr. Morrison. Yes, sir.

Mr. Conaway. Okay. Associated Press is reporting that -- and, Ambassador Volker, you mentioned this earlier, that the Russians, in an act of war, took two gunships and a tug and 24 sailors last November, and yet, the Russians have now given the 24 sailors back in September, and the Associated Press has reported today that they're giving the gunboats and the tug back. Does that sound like Ukraine is inept at being able to negotiate with the Russians because of -- they're wounded in some way by our actions?

Ambassador Volker. No, I would not say that the Ukrainians are inept.

Mr. Conaway. All right. Thank you, sir.

Mr. Chairman, I would like, as a personal request, request that you and/or one of your lawyer -- members of the committee that are lawyers, to put into the record the Federal statute that provides for the absolute immunity, or right to immunity that you've exerted over and over and over. I don't think it's there, but if it is, in fact, Federal statute and/or a brief that you can cite, put that into the record, so that we'll know that.

And before you get mad and accuse me of wanting to out the whistleblower, you get upset every time somebody accuses you personally of knowing who the whistleblower is. I get upset every time you -- anonymity, excuse me. Anonymity -- every time you accuse me of simply -- because I want to know the whistleblower and we want to know what's going on that we want to out that interviewer. That's unfair for you to make that accusation, and I get just as mad.

This is about leveling the playing field between our two teams. Your team knows the whistleblower. They have intimate knowledge of who he or she is. The IC IG even mentioned indicia of biases. Your team fully understands that. Our team should fully understand that. It's simply leveling the playing field.

And I know that you've overrun my request for a closed-door subpoena. I understand that. But I do think that it's supported that you put in the record the basis on which you continue to assert this absolute right to anonymity -- excuse me, I misspoke earlier -- anonymity by the whistleblower.

Also, the Speaker, on September 23, issued a Dear Colleague. That's a document that we all use to talk to each other. It went to 434 other Members of Congress. It was intended to be the truth. It was intended to be straightforward. She says in that Dear Colleague that the whistleblower has -- by law, is required to testify to the House and the Senate Intelligence Committees.

Now, you're defying the Speaker in this regard. I understand that's between you and her, but if she's correct, then you're defying the law. If, on the other hand, she misled us into thinking something that was not true, then I think you need to tell the Speaker that she needs to retract that Dear Colleague letter, at least set the record straight, is the whistleblower required by law, as the Speaker said, to testify to us or not, and what is this absolute right to anonymity that you question?

With that, I yield back.

The Chairman. The time of the gentleman has expired. I'd be happy to enter into the record the whistleblower's statute that allows the whistleblower to remain anonymous, as well as Ranking Member Nunes' prior comments talking about the importance of anonymity of whistleblowers.

And with that, I recognize, Ms. Sewell.

[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

Ms. Sewell. Thank you, Mr. Chairman.

Ambassador Volker, it seems by early July, it has become pretty clear that Mr. Giuliani has become a major problem for the U.S.-Ukraine relations. You previously testified that on July 2, you met with the Ukrainian President and his aide in Toronto. Is that right?

Ambassador Volker. I had a bilateral meeting between the U.S. and Ukrainian delegations and then a pull-aside meeting with the President and his chief of staff.

Ms. Sewell. There you discuss Mr. Giuliani's, quote, "negative view," quote, of Ukraine based on a conspiracy theory about the 2016 election, right?

Ambassador Volker. I conveyed that he was repeating a negative narrative about Ukraine based on accusations of the then-Prosecutor General Lutsenko.

Ms. Sewell. Are you saying that you didn't think that they were negative views?

Ambassador Volker. No. No. That they were negative views.

Ms. Sewell. Okay. But that wasn't your description.

Ambassador Volker. I'm sorry. I've lost the question. If you could repeat.

Ms. Sewell. Well, I was trying to get at who said the negative views, that you discussed negative views.

Ambassador Volker. So the prosecutor general of Ukraine was putting out this series of conspiracy theories that I believe were self-serving and inaccurate. Mr. Giuliani had repeated these to me, so I believe that he was at least affected by those and believed those and was concerned about those --

Ms. Sewell. And believed that they were negative?

Ambassador Volker. Believed that they were negative and was conveying them to the President.

Ms. Sewell. So was it problematic that he believed that they were negative views?

Ambassador Volker. Yes, the whole thing was problematic.

Ms. Sewell. Ambassador Taylor testified that on July 2 you told Ukrainians that they needed to, quote, "cooperate on investigations," end quote. You're now saying that you don't recall that -- saying those words. Is that correct?

Ambassador Volker. I don't believe I said the words "cooperate on investigations."

Ms. Sewell. Did you say investigations?

Ambassador Volker. I believe I did, yes.

Ms. Sewell. And what did you mean by investigations?

Ambassador Volker. I meant Burisma and 2016 was in my mind, but I wanted to keep it general, and that Ukraine in being convincing to Giuliani, and hopefully also to the President, that they were serious about fighting corruption, would engage in whatever investigations necessary to clean up the country.

Ms. Sewell. Now, moving to July 10, Ambassador Volker sent you a text message -- you sent a text message to Giuliani, and I think --

Ambassador Volker. Yes.

Ms. Sewell. -- it's on the screen now. And you said, Mr. Mayor, could we meet for coffee or lunch in the next week or so? I'd like to update you on my conversations about Ukraine. I think we have an opportunity to get what you need.

Did you say that? Is that an accurate --

Ambassador Volker. That is an accurate text message.

Ms. Sewell. And what did you mean by "what you need"?

Ambassador Volker. Contact with the actual Government of Ukraine, the people

who are now representing President Zelensky and his team.

Ms. Sewell. Later that day, you and Ambassador Sondland met with Ukraine officials at the White House. We heard from several witnesses that Ambassador Sondland told the Ukrainians that they needed to cooperate with the, quote/unquote, "investigations" in order to get the Oval Office meeting scheduled on the books. Were these investigations a part of the official U.S. policy towards Ukraine?

Ambassador Volker. U.S. policy toward Ukraine was about fighting corruption and Ukraine going after that --

Ms. Sewell. But was it specifically about these kinds of investigation? You said the investigation was Burisma --

Ambassador Volker. Well, right.

Ms. Sewell. Okay.

Ambassador Volker. In order to fight corruption, you need to conduct investigations. You need to see what Ukrainian citizens have been up to and doing. So these --

Ms. Sewell. But was that the purpose of that? Or was it because the President -- you knew that, well, that the President wanted those investigations to be done as a condition for them to actually have a meeting with the -- in the White House?

Ambassador Volker. Well, first off, we have to be clear what we're talking about in terms of investigations. We're not talking about Vice President Biden. We're not talking about some of the --

Ms. Sewell. Well, Burisma has nothing to do with -- you're saying --

Ambassador Volker. I'm saying that whether Ukrainians within the company of Burisma had acted in a corrupt way or sought to buy influence. That's a legitimate thing for Ukraine to investigate, and if Ukraine can make a statement about their intentions on

fighting corruption domestically, that is helpful in order to convince President Trump ultimately that this is --

Ms. Sewell. Well, with all due respect, Ambassador Volker, we heard from two witnesses this morning that those investigations were not official U.S. policy.

Ambassador Volker, I don't know if you understand what you were getting yourself into, but sitting here today, I trust you understand that pressuring Ukraine to involve itself in U.S. domestic policy is just simply wrong.

I yield back the balance of my time.

The Chairman. Mr. Turner.

Mr. Turner. I yield my time to Jim Jordan.

Mr. Jordan. I thank the gentleman.

Ambassador Volker, you were the special representative to Ukraine. Is that right?

Ambassador Volker. That is correct.

Mr. Jordan. And prior to that, in your diplomatic service, you worked at the NSC, you were Deputy Assistant Secretary of State, you were Ambassador to NATO, Senate-confirmed Ambassador to NATO in your distinguished diplomatic career. So it may not bother you when you're referred to as the irregular channel, but it bothers Representative Turner, and it bothers me.

You were the special envoy to Ukraine, and in that role, you said in your opening statement, you were the administration's most outspoken public figure highlighting Russia's invasion and occupation of Ukraine in calling out Russia's responsibility to end the war. Is that right?

Ambassador Volker. That is correct.

Mr. Jordan. And in that capacity, you strongly advocated for lifting the ban on

sale of lethal defensive arms to Ukraine. Is that right?

Ambassador Volker. That is correct.

Mr. Jordan. And President Trump did it, didn't he?

Ambassador Volker. That is correct.

Mr. Jordan. But in spite of that, President Trump was still skeptical of giving hard-earned tax dollars to Ukraine, right?

Ambassador Volker. Yes.

Mr. Jordan. You said that in your testimony as well. And the reason he's skeptical is, let's be honest, the guy doesn't like foreign aid, right?

Ambassador Volker. That's one reason and then Ukraine's history of corruption is another.

Mr. Jordan. The third most corrupt countries on the planet. And Europe isn't doing enough. And, oh, by the way, in the President's mind, he did think Ukraine was trying to influence the 2016 election, because things happened. And Democrats want to deny it, but when the ambassador from Ukraine here in the United States writes an op-ed on August 4, 2016, criticizing then-candidate Trump, that's certainly trying to influence the election.

When Mr. Avakov, a key minister in their government, says all kinds of negative things about candidate Trump, that certainly looks like he's trying to influence the election. And when Mr. Leshchenko states in The Financial Times during the campaign, the majority of Ukrainian political figures want Hillary Clinton to win, that probably sticks in the candidate's mind.

I know we all run campaigns. When people say bad things about us in the course of the campaign, we don't necessarily think great things about them. But you were convinced Zelensky was the real deal, right?

Ambassador Volker. That is correct.

Mr. Jordan. Because you spend a lot of time with the guy. And guess what? When aid was frozen, you knew if you could get these two guys together, it would work out. When aid was frozen, what did you say? You told the Ukrainians, don't worry about it. Well, you didn't say -- you said, don't be alarmed.

Ambassador Volker. Yeah.

Mr. Jordan. Right?

Ambassador Volker. That is correct.

Mr. Jordan. And guess what happened? By the time aid -- when aid is frozen and when it's released, all kinds of interaction between President Zelensky and senior U.S. officials, right?

Ambassador Volker. That's correct.

Mr. Jordan. It starts with the call with President Trump and President Zelensky. Next day, you meet with President Zelensky in Ukraine. Then we have Ambassador Bolton meeting with him, then we have Vice President Pence meeting with him, then we have U.S. Senators Johnson and Murphy meeting with him. And guess what? In none of those meetings, not a single one, did security assistance dollars in exchange for an investigation, not once did they come up, did that conversation come up. Is that right?

Ambassador Volker. That is correct.

Mr. Jordan. Not once. No discussion of aid for investigations, and as you testified, you never believed aid for investigations was ever being talked about either, in any of these conversations?

Ambassador Volker. That is correct.

Mr. Jordan. What happened in those meetings? They all became convinced of the same thing you knew. They all saw the same darn thing. This guy was the real

deal. He is a legitimate reformer. And they all came back, they all came back and told the President, Hey, Mr. President, this guy is real. Go ahead and release the dollars.

Oh, by the way, in that same timeframe, you know what else happened? Their parliament, their newly elected parliament, as Mr. Morrison testified to, stayed up all night to pass the reform measures to get rid of the prosecutor, to put in the supreme high anti-corruption court, to get rid of this ability that no one in their Congress and their parliament could ever be hit with a crime. I mean, that's unbelievable. All that happens and they come back and tell President Trump, Hey, guess what, time to release the dollars. And he did it, right?

Ambassador Volker. The dollars were released.

Mr. Jordan. Yeah. You did your job. You did your job, and you've got to put up with all this because the Democrats are out to get this President. You did your job just the way Mr. Turner described you did your job over all these years. All these years and the Democrats put you through this. You have served our country well. The kind of diplomat we want serving.

And here's the saddest -- one of the saddest things about all this, what the Democrats are putting us through, you two guys who are here telling it straight, you both decided you're going to step out of government because of what these guys are doing. And that's the sad thing.

People like Ambassador Volker and Tim Morrison who have served our country so well are now stepping out of our government because of what these guys are doing. And that's why Mr. Turner got so fired up a few minutes ago and why I'm so fired up too, because we appreciate what you guys did.

I yield back.

The Chairman. Mr. Carson.

Mr. Carson. Thank you, Chairman Schiff.

Ambassador Volker, I want to focus on a press statement that President Trump and Rudy Giuliani wanted Ukraine to make announcing investigations to benefit President Trump. On August 9, sir, Ambassador Sondland and you had this exchange. Ambassador Sondland says, Morrison ready to get dates as soon as Yermak confirms. You reply, excellent. How did you sway him? And Ambassador Sondland says, not sure I did. I think POTUS really wants the deliverable.

The deliverable here was a public announcement that Ukraine was going to conduct investigations into Burisma and alleged 2016 election interference by Ukraine. Is that correct, sir?

Ambassador Volker. Thank you. I understood the deliverable to be the statement that we had been talking about.

Mr. Carson. On August 13, you and Ambassador Sondland discussed a draft statement from Ukraine with Mr. Giuliani. Sir, why did you discuss the draft statement with Mr. Giuliani?

Ambassador Volker. Because the idea of the statement had come up from Mr. Yermak's meeting with Mr. Giuliani. Remember than Mr. Yermak asked me to connect him with Mr. Giuliani. I did. They had a meeting, and then they both called me afterwards. Mr. Giuliani said that he thought Ukraine should make a statement about fighting corruption. Mr. Yermak said, and we will say also specifically Burisma and 2016. Mr. Yermak provided me a draft statement.

And I wanted to be assured that this statement would actually correct the perception that Mr. Giuliani had of Ukraine and what they stand for now, so that that would also be conveyed to President Trump and solve this problem that I had observed with our May 23 meeting with the President, the problem being that he's getting a bad

set of information. A statement like this could potentially correct that.

Mr. Carson. So was Mr. Giuliani satisfied with the statement?

Ambassador Volker. No, he was not.

Mr. Carson. Why not?

Ambassador Volker. He believed that it needed to say Burisma and 2016 specifically, or else it would not be credible, it would not mean anything new.

Mr. Carson. So, in fact, Mr. Giuliani wanted a statement that referenced Burisma and the 2016 elections explicitly, one that would benefit essentially President Trump.

Mr. Ambassador, here's the text you sent to the Ukrainian official on August 13. Let's put that up on the screen. You said, "Hi, Andriy. Good talking. Following is the text with an insert at the end for the two key items."

Mr. Ambassador, those two key items were specific references to investigations of Burisma and the 2016 elections. Isn't that right, sir?

Ambassador Volker. That is correct.

Mr. Carson. Did Mr. Giuliani, sir, dictate those two key items to you, sir?

Ambassador Volker. Well, as you see, I had just had a conversation with Mr. Yermak to describe to him the conversation that we had just had with Mr. Giuliani. Mr. Giuliani said that it would need to include these things for it to be convincing to him. I put them in so we understood what he was talking about, and I shared it with Andriy to say this is what he is talking about.

Mr. Carson. And you included them in the proposal to the Ukrainians?

Ambassador Volker. I put it back in just to be clear to the Ukrainians this is what the conversation was.

Mr. Carson. Mr. Ambassador, if you believe the statement that Mr. Giuliani dictated in August was not a good idea, sir, why were the Ukrainians still considering

giving an interview with the same themes in September?

Ambassador Volker. Well, if I may, Congressman, I conveyed this to the Ukrainians in order to be clear so we knew what the conversation was about, so this was following up on his prior conversation. The Ukrainians then said they had reasons not to do that and they described those reasons and I agreed with them, and we agreed to just scrap the statement.

From that point on, I didn't have any further conversations about this statement. So I don't know how it came up, or why it came up that there would be a possibility of President Zelensky doing an interview with U.S. media later saying something like this, and in the end, he didn't do that either.

Mr. Carson. Thank you, sir.

Mr. Morrison, you said that the President's request during the July 25 call were not consistent with U.S. policy. I emphatically agree with you, sir. Yet, these text messages show that Ambassador Volker spent much of August pressing Ukraine to meet those requests. We can only be grateful. I guess that the President essentially got caught, and Congress passed a law to ensure the funding was released to Ukraine before it was too late.

I thank you both for your service.

Mr. Chairman, I yield back.

The Chairman. Dr. Wenstrup.

Dr. Wenstrup. Thank you, Mr. Chairman.

Both you gentlemen, thank you very much for being here.

I want to start if I can with you, Mr. Morrison. In discussing the 7/25 phone call and the concerns that Lieutenant Colonel Vindman had, Lieutenant Colonel Vindman came to you with edits for the transcript and you stated that you accepted all of his edits.

Is that correct?

Mr. Morrison. I would have accepted all of the edits that I believed were faithful to what was actually discussed.

Dr. Wenstrup. Did he come to you with an edit that said that the word "demand" should be in there?

Mr. Morrison. I don't recall that specifically, sir, no.

Dr. Wenstrup. He didn't either. How soon after the phone call did he meet with you on that particular issue?

Mr. Morrison. We got the draft as was normal fairly quickly after the call that same day.

Dr. Wenstrup. That same day. So today he said, I reported my concerns to Mr. Eisenberg. It is improper for the President of the United States to demand a foreign government investigate a U.S. citizen and political opponent.

Now, he was going to Mr. Eisenberg with his concerns about the conversation. Yet, he did not, at any point on the edits, say that there should be a demand. And, you know, he didn't do that, but he did say that he didn't come to you with his concerns because you weren't available, but that same day, he came to you with edits. Is that correct?

Mr. Morrison. I believe that's generally correct, yes, sir.

Dr. Wenstrup. Okay. Well, he said you weren't available. And you didn't hear the President make a demand, did you?

Mr. Morrison. No, sir.

Dr. Wenstrup. So sometime between the call and today, Lieutenant Colonel Vindman must have been hearing some voices, and he heard "demand" at the time. But he didn't hear it that day, and he didn't make it an issue that day, but today he does. I

think that's pretty bizarre.

When Lieutenant Colonel Vindman went to legal, Mr. Eisenberg, do you know if he was advised not to speak to you?

Mr. Morrison. I don't have any firsthand knowledge of that, no, sir.

Dr. Wenstrup. Do you know if he was advised to contact the IG IC?

Mr. Morrison. No, sir. I have no firsthand knowledge of that.

Dr. Wenstrup. So you don't know what he was advised when he went to legal?

Mr. Morrison. No, sir, I do not.

Dr. Wenstrup. Thank you. I appreciate that.

Mr. Volker, I want to tell you, I really enjoyed your opening testimony today, taking us through that. I know it's kind of long, but I thought it was extremely well done, and I appreciate it. You talk about letters signed and sharing concerns about leadership in your assigned country, about agreeing with and sometimes disagreeing with the leadership of your own country when you felt it was appropriate.

You're the boots on the ground for the administration. Let's face it. You're part of that team that is there to serve the country in that way. And that all to me sounded like the works of a very good diplomat, and I want to thank you for that.

Ambassador Volker. Thank you, sir.

Dr. Wenstrup. It's truly appreciated.

And, you know, corruption was a concern legitimately in Ukraine, and in many ways. And Mr. Jordan pointed out some of the things that were done by Ukrainians in plain sight, I might use that term, in plain sight, by putting op-eds in our newspapers. And it's -- certainly more than one country can be trying to influence our elections. Would you agree with that?

Ambassador Volker. I agree with that.

Dr. Wenstrup. And, you know, we keep hearing that that whole thing about the Ukrainians, that's all been debunked. It was just the Russians. Well, you know, that comes from an IC community that some of the people that have come up with those conclusions are some of the very same people that we're going to find out, if we haven't already, were deeply involved with this whole Russian collusion hoax.

But I want to say, you did a great job. You vetted Zelensky's intentions, what he intended to be as a President. Would you say that's accurate?

Ambassador Volker. Yes. That was, in fact, one of the key objectives at the presidential delegation at the inauguration, to take our own judgment and report back to the President.

Dr. Wenstrup. And that's what your job should be. And you became comfortable with this President, correct?

Ambassador Volker. Yes, I did.

Dr. Wenstrup. And you worked to assure our President that you were comfortable with this President --

Ambassador Volker. Yes, I did.

Dr. Wenstrup. -- is that correct?

Ambassador Volker. That's correct.

Dr. Wenstrup. And in some ways, you have to work sometimes through any means available, and that might include working with Rudy Giuliani if it could be helpful to you to get that message and advice to the President. Would that be correct?

Ambassador Volker. I believe that the messages being conveyed by Mr. Giuliani were a problem, because they were at variance with what our official message to the President was, and not conveying that positive assessment that we all had. And so, I thought it was important to try to step in and fix the problem.

Dr. Wenstrup. And in that, I think, you termed that a useful barometer of where things were?

Ambassador Volker. Yes.

Dr. Wenstrup. So there's -- useful barometers, I think, can come in a lot of different fashions, like Dennis Rodman in North Korea, or James Taylor in France singing, "You Got a Friend," if they can help the cause. And in that situation, it's not illegal.

Good job, Ambassador. Thank you very much. I yield back.

Ambassador Volker. Thank you, sir.

The Chairman. Ms. Speier.

Ms. Speier. Mr. Chairman, thank you.

And thank you both for your participation here today and for your service.

I want to take us out some 30,000 feet for a minute, and talk about coverups. But for the fact that the whistleblower came forward, we wouldn't know anything about this. But for the fact that the inspector general of the CIA found it to be both urgent and credible, we wouldn't know anything about it.

Mr. Morrison, you said that after you heard the call you went directly to the attorneys in the National Security Council and recommended that they be limited access, and they were subsequently put into a special server. The White House has not released any documents whatsoever to this committee.

So do you, Mr. Volker -- thank you. But for the fact that you as a private citizen with your own personal phone and your text messages with Mr. Giuliani and Mr. Sondland and Mr. Mayak (ph) and whomever else, but for those text messages that we've been putting up on the screen all day, we would have nothing. Nothing. And this coverup would be complete. That's something we should think about.

Now, on July 19, you had breakfast with Rudy Giuliani at the Trump Hotel,

correct?

Ambassador Volker. That's correct.

Ms. Speier. And in that conversation, at one point, he brought up Mr. Lutsenko, and you said that whatever Mr. Lutsenko is saying that's not credible. Is that correct?

Ambassador Volker. Yes.

Ms. Speier. And then he brought up Mr. Biden, and I'm going to quote you here: I've known him for a long time. He's a person of integrity. To Giuliani, simply not credible to me. Joe Biden would be influenced in his duties as Vice President by money or things for his son or anything like that.

Now, we've had many discussions over the last few days about these investigations into Burisma and Biden and the 2016 CrowdStrike server. And you, in that conversation with Mr. Giuliani, basically debunked all of that. Now, at that time, at that breakfast, who else was with you at that breakfast?

Ambassador Volker. There was someone that Mr. Giuliani brought along. I later learned that this was Lev Parnas who we've learned a lot about since then.

Ms. Speier. So Mr. Lev Parnas was at that breakfast that Mr. Giuliani had with you, and we now know that Mr. Parnas has since been indicted for campaign -- foreign campaign contributions to President Trump's political action committee. Is that correct?

Ambassador Volker. I have seen that.

Ms. Speier. All right. On May 23, you were in that discussion with the President, and at one point, he referred to Zelensky having terrible people around him. Who do you think he was calling terrible people around him?

Ambassador Volker. There were two people that came to mind. One of them was a former investigative journalist and later a parliamentarian named Serhiy Leshchenko. Serhiy Leshchenko is someone that, in many of these stories, is seen as

bringing forth a black ledger relating to Paul Manafort's activities in Ukraine. That was one person.

The other person I thought it could refer to was the person who was being named as President Zelensky's chief presidential administration Andriy Bohdan. He was known as a lawyer for one of the main oligarchs in Ukraine, Igor Kolomoisky, and there's a lot of controversy at the time about him being appointed to the administration.

Ms. Speier. Do you think of them as terrible people?

Ambassador Volker. I don't think either one of them is terrible people, no.

Ms. Speier. All right. Thank you.

Mr. Morrison, earlier in testimony that was elicited from our colleagues on the other side of the aisle, you indicated that others had represented to you that Colonel Vindman leaked. Do you remember saying that?

Mr. Morrison. Yes, ma'am.

Ms. Speier. All right. Colonel Vindman this morning, under oath, said that he did not, does not leak. Now, would you therefore want to maybe rearrange your comments about the references you made to Colonel Vindman?

Mr. Morrison. No, ma'am.

Ms. Speier. So even though under oath, he said that he has never leaked, you believe that -- you're believing people who said to you that he may have leaked?

Mr. Morrison. Ma'am, I didn't believe or disbelieve them.

Ms. Speier. But you then --

Mr. Morrison. I'm merely relating what they told me.

Ms. Speier. Well, they told you, and so, then, you decided to continue to put that forward even though you had no evidence.

Mr. Morrison. No, ma'am. No, ma'am.

Ms. Speier. Thank you. I yield back.

Mr. Morrison. Ma'am, I'm sorry. Chairman, if I could answer?

The Chairman. You may respond.

Mr. Morrison. No, ma'am. That's incorrect. They, Dr. Hill, Mr. Erath, others in the NSC raised concerns about Alex. Those concerns were noted. I didn't take them for face value. I treated them as representations of others. I was on alert, but I formed my own judgments. I took no action because of the statements of someone else that I couldn't independently validate.

The Chairman. Mr. Stewart.

Mr. Stewart. Thank you.

Gentlemen, welcome to Impeachapalooza 2019, which is the Democratic plan to compel America to impeach President Donald J. Trump through the sheer force of boredom, because it's been a long day. And it turns out impeachment is very boring if you don't have any compelling or any condemning evidence.

Good news and bad news. The good news is I'm going to be very, very brief. We're going on 10-plus hours of this. I will yield back some of my time. The bad news is, most of my colleagues after me won't, so we've still got some time to go.

Ambassador Volker, very quickly, do you think that someone should be immune from investigation of suspected ethical or criminal activity just because they were a candidate for office, even for Office of the President of the United States?

Ambassador Volker. I don't think anyone should be above the law.

Mr. Stewart. Well, of course not. That would be absurd to suggest that, and I was certain that's how you would answer that question.

What if some of these alleged ethical or criminal allegations occurred overseas, occurred in another country? Would it be improper to seek the host country's help such

as we do with Interpol or any other law enforcement agency?

Ambassador Volker. There are channels for doing that for American citizens who may have committed crimes abroad.

Mr. Stewart. Okay. And, again, to seek the host nation's -- their government's help is not unusual at all.

Ambassador Volker. That is correct.

Mr. Stewart. Thank you.

Ambassador Volker. And we often have treaties for them.

Ambassador Volker. Thank you. And, again, that's painfully the obvious, and to me that's exactly and the only thing that the President was doing here.

Mr. Morrison, I want to refer just briefly to Lieutenant Colonel Vindman's testimony where he described the six people, I believe it was five or six people, that were in the Situation Room listening to this phone call between the two Presidents.

Colonel Vindman described these individuals as exceptional. He stated that there was no reason to question their integrity or professionalism. This was an exchange that he and I had in the closed-door testimony. Do you agree with the description of these national security staff as exceptional people?

Mr. Morrison. Sir, they are patriots, yes.

Mr. Stewart. People of great integrity and professionalism?

Mr. Morrison. Yes, sir.

Mr. Stewart. Do any of these -- I'm sorry. Did any of these exceptional individuals, people of unquestioned integrity and professionalism, indicate to you that they had thought that the President of the United States didn't get engaged in any illegal or unethical behavior as a result of this phone call?

Mr. Morrison. Not that I'm aware of, Congressman.

Mr. Stewart. Did any of them suggest to you in any way that they thought the President was involved with bribery or any such thing associated with that?

Mr. Morrison. Not that I'm aware of, Congressman.

Mr. Stewart. You know, it only leaves two possible explanations: Either these individuals of what we've described as great integrity, either that's not true, which I don't believe, or they just interpreted an ambiguous conversation very differently than did Colonel Vindman.

And I have one last thing just as an aside. As an Air Force officer, I've never understood why President Obama was against providing lethal aid to Ukraine. Ambassador, do you have some insight into why they refused to do that?

Ambassador Volker. I would only point to the statements from the administration at the time. There was a perception that our allies would oppose it, that Germany would oppose it. There was a perception that Germany should be in the lead. There was a perception that it could be provocative to Russia or escalate the conflict.

As I've said extensively at the time, and as special representative, I don't agree with those arguments. And I believe that the record has borne out that providing those lethal defensive arms is actually very important.

Mr. Stewart. Well, I agree with you, Ambassador. I think that you got it right, and I think President Trump got it right. And with that, I yield back.

The Chairman. Mr. Quigley.

Mr. Quigley. Thank you, Mr. Chairman.

Ambassador, I want to direct your attention to a meeting you had with Ambassador Taylor and Mr. Yermak on September 14 in Kyiv. Do you recall this meeting, sir?

Ambassador Volker. I believe we had dinners around the time of the YES

Conference.

Mr. Quigley. Okay. And do you remember discussing with Mr. Yermak Ukraine's intent to investigate their former President, Mr. Poroshenko?

Ambassador Volker. I remember raising the issue of the possibility of prosecutions.

Mr. Quigley. Well, they brought it up. Is that -- you raised it --

Ambassador Volker. No. I believed there had --

Mr. Quigley. -- and they talked about their intention --

Ambassador Volker. Excuse me, Congressman. I'm sorry. To be clear, there was a lot of talk in Kyiv at that time about whether the new team would be prosecuting the former President. And I had met with President Poroshenko. I had met with others in the opposition as well. And I wanted to call Mr. Yermak's attention to the potential problems of this.

I'm very familiar with other examples of countries in the region that have gone for prosecutions of the former government, and these have created deep divisions in society. And, so, I cited President Zelensky's inauguration speech -- I'm sorry, his National Day speech from August 24 that was all about unifying the country.

And I cautioned Mr. Yermak to say that pursuing prosecution of President Poroshenko risks deepening the divisions in the country, exactly the opposite of what President Zelensky has said he wants to do.

Mr. Quigley. So it's fair to describe it as you discouraged him from such action?

Ambassador Volker. Yeah, I discouraged him. I raised concerns about what the potential impact would be.

Mr. Quigley. And what was Mr. Yermak's response?

Ambassador Volker. I believe, and I'm refreshed in this by seeing the testimony

of others --

Mr. Quigley. Mr. Taylor --

Ambassador Volker. Mr. Taylor's testimony --

Mr. Quigley. Ambassador Taylor and Mr. Kent?

Ambassador Volker. Right. And I believe based on that testimony, that Mr. Yermak said, what, you mean like asking us to investigate Clinton and Biden?

Mr. Quigley. So it was something along the lines of it's okay for you to ask us to investigate the manner in which you are, these so-called investigations, but you don't want us to investigate our own President. Is that a fair way to describe this?

Ambassador Volker. Well, I didn't quite understand what he was referring to because, to my knowledge, we weren't asking to investigate Clinton or Biden. And so I was kind of puzzled by the remark, and that's why I didn't respond.

Mr. Quigley. Did you go and investigate what he might have meant or ask anybody?

Ambassador Volker. No. I thought -- I took it something of a deflection from the point I was making about unifying Ukraine.

Mr. Quigley. But in all this time, I mean, Mr. Giuliani, in this time, in that May to September, he mentioned the Biden investigation. He mentioned Biden over 50 times and 20-something times in relation to Ukraine. None of that stirred your curiosity?

Ambassador Volker. Well --

Mr. Quigley. You've just now finally come to this point?

Ambassador Volker. Yeah. As I testified, I met with Mr. Giuliani once, and he did bring up Vice President Biden, and I pushed back on that. And I maintained a very clear distinction that Ukraine investigating its own citizens and corruption would be fine. Going beyond that to say we're going to investigate the Vice President is not fine.

Mr. Quigley. Sure. Did you have any discussions with anyone in the State Department or anywhere else in the administration about concerns about the investigation into Poroshenko?

Ambassador Volker. Yes. So I know that I raised this with Ambassador Taylor in advance of that. We'd been in some of the same meetings, some of the country team there. I don't remember whether I had raised it with George Kent or Phil Reeker or not. I may well have done. But it was something that we had discussed as part of our meetings in Kyiv at that time.

Mr. Quigley. I yield to the chairman.

The Chairman. So, Ambassador, when you had this conversation and you urged Ukrainians not to investigate or prosecute the former President Poroshenko, their response was, Oh, you mean like you're asking us to investigate the Clintons and the Bidens. That was their response?

Ambassador Volker. That's what I recall now from seeing Ambassador Taylor's testimony.

The Chairman. And you didn't understand that at the time, but then at the time had you read the call record?

Ambassador Volker. No.

The Chairman. Now that you've read the call record, that makes a little more sense, doesn't it?

Ambassador Volker. Yes.

The Chairman. You know, I was curious about something you said earlier when you said that the 2016 conspiracy theory of Lutsenko had no merit, but you didn't see any harm in Ukraine investigating it if they wanted to investigate it. Is that right?

Ambassador Volker. Yes.

The Chairman. Don't they have enough legitimate corruption to investigate without spending time investigating a debunk conspiracy theory?

Ambassador Volker. There is all kinds of corruption to investigate in Ukraine.

The Chairman. But nonetheless, you proposed that they go ahead and do this investigation as something you thought without merit because this was part of an effort to fix the problem that Giuliani was creating?

Ambassador Volker. Well, I did not propose it.

The Chairman. Well, I think you said you were okay with it, or you amended statements as we've seen to include it because, well, if it would help fix the Giuliani problem, was that the thinking?

Ambassador Volker. Yes, that's correct. If it threads the needle between what is reasonable for Ukraine to do and if it resets the negative perceptions held by Mr. Giuliani and then the President, then why not.

The Chairman. This is part of what you described in your opening statement as your effort to, when you see a problem, to fix it. Is it clear to you now, Ambassador Volker, based on the September 25 call, that you were not able to fix it?

Ambassador Volker. Based on the transcript that was released on the 25th, I can see now that there was a lot else going on that was about Vice President Biden than I knew at the time. And the efforts that I was making were clearly not in the context of what had already been discussed by the President on July 25.

The Chairman. So it's fair to say you were not able to fix the Giuliani problem?

Ambassador Volker. That's correct.

The Chairman. Ms. Stefanik.

Ms. Stefanik. Thank you, Ambassador Volker and Mr. Morrison, for your years of service and your professional expertise and leadership on national security issues. And I

want to particularly thank Mr. Morrison for his great work on the House Armed Services Committee on which I serve.

I wanted to start with the July 25 call between President Trump and President Zelensky. Mr. Morrison, you were on that call, and there was no mention of withholding aid on the call, correct?

Mr. Morrison. That is correct, Congresswoman.

Ms. Stefanik. And there was no quid pro quo, correct?

Mr. Morrison. Correct.

Ms. Stefanik. No bribery?

Mr. Morrison. Correct.

Ms. Stefanik. No extortion?

Mr. Morrison. Correct.

Ms. Stefanik. And, Ambassador Volker, I presume you got a readout of the call.

Is that correct?

Ambassador Volker. A very terse readout, but yes.

Ms. Stefanik. In this terse readout of the call, Ambassador, from the U.S. participants, was there any reference to withholding aid?

Ambassador Volker. No, there was not.

Ms. Stefanik. Any reference to bribery?

Ambassador Volker. No, there was not.

Ms. Stefanik. Any reference to quid pro quo?

Ambassador Volker. No, there was not.

Ms. Stefanik. Any reference to extortion?

Ambassador Volker. No, there was not.

Ms. Stefanik. And I presume you also got feedback from your Ukrainian

counterparts as to how the call went. Did they mention the withholding of aid?

Ambassador Volker. No, they did not.

Ms. Stefanik. Did they mention any quid pro quo?

Ambassador Volker. No, they did not.

Ms. Stefanik. And did they mention any bribery?

Ambassador Volker. No, they did not.

Ms. Stefanik. And, in fact, the day after the call you met with President Zelensky.

This would be on July 26.

Ambassador Volker. That's correct.

Ms. Stefanik. And in that meeting he made no mention of quid pro quo?

Ambassador Volker. No.

Ms. Stefanik. He made no mention of withholding the aid?

Ambassador Volker. No.

Ms. Stefanik. He made no mention of bribery?

Ambassador Volker. No.

Ms. Stefanik. So the fact is that Ukrainians were not even aware of this hold on aid. Is that correct?

Ambassador Volker. That's correct.

Ms. Stefanik. And in the coming weeks, you were in touch with Ukrainians as part of your official duties, and this included talking to Ukrainians over the phone, in person, on text, and the Ukrainians never brought up an investigation into the Bidens. Is that correct?

Ambassador Volker. That's correct.

Ms. Stefanik. They never brought up the withholding of the aid?

Ambassador Volker. That's correct.

Ms. Stefanik. They never brought up quid pro quo or bribery?

Ambassador Volker. Let me bring up the aid. They did bring that up after the Politico article appeared on the --

Ms. Stefanik. I'm going to get to that. But until the Politico article --

Ambassador Volker. Until then, no.

Ms. Stefanik. -- they did not bring it up?

And you said in your closed-door deposition, quote, "It never came up in conversation with them, and I believe they had trust in me that they would have asked if that was really what they were worried about." Is that correct?

Ambassador Volker. That is correct.

Ms. Stefanik. And as you pointed out, the Ukrainians never even knew their foreign aid was on pause until the article was published in Politico in August?

Ambassador Volker. That's correct.

Ms. Stefanik. So they didn't know during the call?

Ambassador Volker. That's correct.

Ms. Stefanik. And, in fact, you had to correct Chairman Schiff on this timeline in the closed-door deposition. The chairman of this committee asked you, quote, "When they became aware that military assistance was being withheld for a reason you couldn't explain, no one could explain, weren't they under even greater pressure to give the President what he asked for on the call?"

And you answered, Ambassador Volker, quote, "To my knowledge, the news about a hold on security assistance did not get into Ukrainian Government circles as indicated to me by the current foreign minister, then diplomatic adviser, until the end of August."

Is that your testimony?

Ambassador Volker. Yes, it is.

Ms. Stefanik. And Chairman Schiff also got the facts wrong again when he asked you this, quote: "At the point they learned their aid was paused, wouldn't that give them added urgency to meet the President's request on the Bidens?" And you answered, Ambassador Volker, quote: "I think the Ukrainians felt like they are going in the right direction and they had not done anything. They had not done anything on an investigation," end quote.

Isn't it the case, Ambassador Volker, at one point Chairman Schiff said to you, when you were truthfully testifying, quote, "Ambassador, you're making this much more complicated than it has to be," end quote. It's page 127 from the deposition. Is that correct?

Ambassador Volker. I remember that.

Ms. Stefanik. But the truth is, the facts are indeed not complicated. And I'm going to close out with two questions for the both of you. Did Ukraine open investigation into the Bidens, Mr. Morrison?

Mr. Morrison. Not to my knowledge, ma'am.

Ms. Stefanik. Ambassador Volker?

Ambassador Volker. Not to my knowledge either.

Ms. Stefanik. Did either of you ever have any evidence of quid pro quo, Mr. Morrison?

Mr. Morrison. No, ma'am.

Ms. Stefanik. Ambassador Volker?

Ambassador Volker. I did not.

Ms. Stefanik. Any evidence of bribery?

Mr. Morrison. No, ma'am.

Ambassador Volker. No, ma'am.

Ms. Stefanik. Any evidence of treason?

Mr. Morrison. No, ma'am.

Ambassador Volker. No evidence of treason.

Ms. Stefanik. With that, I yield back.

The Chairman. Mr. Swalwell.

Mr. Swalwell. Thank you.

Mr. Morrison, did Ambassador Bolton want the security aid hold lifted?

Mr. Morrison. Yes, Congressman, he did.

Mr. Swalwell. You testified that Ambassador Bolton had a one-on-one meeting with trump in late August related to Ukraine security assistance. Is that right?

Mr. Morrison. Sir, can you point to where I testified to that?

Mr. Swalwell. On page 266, you said Ambassador Bolton had a one-on-one meeting with President Trump in late August 2019, but the President was not yet ready to approve the release of the assistance. Do you remember that?

Mr. Morrison. Sir, this is 226?

Mr. Swalwell. Yes. 266 and 268. But I'm asking you, did that happen, or did it not?

Mr. Morrison. Sir, I just want to be clear in characterizing it. Okay. Yes, sir. I see. Yes.

Mr. Swalwell. And you testified to that?

Mr. Morrison. Yes, sir.

Mr. Swalwell. What was the outcome of that meeting between Ambassador Bolton and President Trump?

Mr. Morrison. Ambassador Bolton did not yet believe the President was ready to

approve the assistance.

Mr. Swalwell. Did Ambassador Bolton inform you of any reason for the ongoing hold that stemmed from this meeting?

Mr. Morrison. No, sir.

Mr. Swalwell. Mr. Morrison, do you consider yourself loyal to the President?

Mr. Morrison. Yes, sir.

Mr. Swalwell. And the President executes the foreign policy of the United States. Is that right?

Mr. Morrison. Well, sir, I would say he decides --

Mr. Swalwell. He sets the foreign policy?

Mr. Morrison. He sets it, yes, sir.

Mr. Swalwell. And as a staffer on the National Security Council, and even someone who serves in the military, it's your job to faithfully execute the foreign policy priorities of the President. Is that right?

Mr. Morrison. Sir, my oath is to obey all lawful orders.

Mr. Swalwell. On July 25 you listened to the President of the United States talk to the President of Ukraine. Is that correct?

Mr. Morrison. July 25, yes, sir.

Mr. Swalwell. And regardless of what you had prepared as far as talking points for that call for the President, you heard the President of the United States ask the President of Ukraine to investigate the Bidens. Is that correct?

Mr. Morrison. Yes, sir. He made a request.

Mr. Swalwell. And after the July 25 call between President Trump and the Ukrainian President, fair to say that you talked to your Ukrainian counterparts a number of times?

Mr. Morrison. Yes, sir.

Mr. Swalwell. How many times when you talked to your Ukrainian counterparts did you ask them to investigate the Bidens?

Mr. Morrison. Never, sir.

Mr. Swalwell. Why not?

Mr. Morrison. Sir, it was not a policy objective that I was aware of.

Mr. Swalwell. But with all due respect, Mr. Morrison, you're not in the White House to carry out your policy objectives. You just testified that the President sets the foreign policy objectives for the United States, and the one call that you listened to between the President of the United States and the President of Ukraine, the President of the United States' priorities were to investigate the Bidens. And I'm asking you, sir, why didn't you follow up on the President's priorities when you talked to the Ukrainians?

Mr. Morrison. Sir, I did not understand it as a policy objective.

Mr. Swalwell. Mr. Morrison, I know that you put that conversation in the server because, as you said, you feared the political consequences and some other reasons that you gave. But you also chose to defy the President's request to not come here as others have, like Mr. Mulvaney and Mr. Bolton, and you have come here and you've been truthful. And I appreciate that.

And, Mr. Morrison, whether you acknowledge it publicly or not, I believe that you knew that what the President asked the Ukrainians to do was wrong. And as you just described, your duty is to follow the foreign policy priorities of the President, but to also only follow something that is a lawful order. And I don't think you believe that was a lawful order and that's why you did not follow up on those priorities.

Mr. Volker, we've heard a lot today about this President being such an anti-corruption President. He really cared about fighting corruption. Is Russia a

corrupt country?

Ambassador Volker. We're talking about President Zelensky?

Mr. Swalwell. No, President Trump.

Ambassador Volker. President Trump.

Mr. Swalwell. Is Russia a corrupt country?

Ambassador Volker. Yes, it is.

Mr. Swalwell. And President Trump has met a number of times in person with President Putin. Is that right?

Ambassador Volker. Yes, a few times.

Mr. Swalwell. And he's had a number of phone calls with President Putin. Is that right?

Ambassador Volker. Yes.

Mr. Swalwell. Is Turkey a corrupt country?

Ambassador Volker. Yes, I believe so.

Mr. Swalwell. And just last week, despite their corruption, at the White House, President Erdogan had an audience with the President of the United States. Is that correct?

Ambassador Volker. Yes, he did.

Mr. Swalwell. Finally, Mr. Giuliani, on May 9, told The New York Times, President Trump basically knows what I'm doing as his lawyer. Are you familiar with that statement to The New York Times?

Ambassador Volker. No, I'm not.

Mr. Swalwell. But you agree, as someone who has a lawyer sitting next to you, that a lawyer acts on a client's behalf, and only on client's behalf. Is that right?

Ambassador Volker. I believe that a lawyer acts on his client's behalf. I'm not

sure about only on a client's behalf, because I think, as I understood Mayor Guiliani in this case, he was doing a lot that I considered to be on his own. I did not believe he was always instructed.

Mr. Swalwell. And when he said we're not meddling in an election, we're meddling in an investigation, he didn't say "I," he said "we." Is that correct?

Ambassador Volker. I'm taking that from the statement.

Mr. Swalwell. Yield back.

The Chairman. Mr. Hurd.

Mr. Hurd. Mr. Morrison, my colleague from California suggests he knows your opinions and your thoughts better than you do. Do you have anything -- he didn't give you the opportunity to respond. Do you have a response? Or want to give a response?

Mr. Morrison. No, sir. I heard the President make a request. I received no direction at any time to attempt to lead a policy process different from what I laid out in my deposition. I was directed by Dr. Kupperman to launch an interagency process to ensure a unity of opinion in the interagency as to the importance of continuing security sector assistance, and that's what I did. I acted upon the direction I was given.

Mr. Hurd. Good copy.

While we're with you, Mr. Morrison, thanks for your testimony, your clear and sober testimony today. Did you participate in, or overhear any conversations about how political information collected by Ukraine on the Bidens would be used for political gain?

Mr. Morrison. No, sir.

Mr. Hurd. Ambassador Volker, same question. Did you participate in or overhear any conversations about how potential information collected by Ukraine on the Bidens would be used for political gain?

Ambassador Volker. No, I did not.

Mr. Hurd. There has been a lot of discussions about a text exchange you had with Mr. Yermak on August 12 that talked about this proposed statement. And Mayor Guiliani provided some feedback on what he thought needed to be included in that. Did Mayor Guiliani get feedback from the President on what should go into that proposed statement?

Ambassador Volker. I have no reason to think that he had discussed it with the President.

Mr. Hurd. Based on your recollection, Ambassador Volker, who within the Zelensky regime has Mayor Guiliani interacted with, in addition to Mr. Yermak, which we've already talked about, and also the former attorney general, Mr. Lutsenko?

Ambassador Volker. Yeah. I don't know who else he would have interacted with in the Zelensky government. I am aware of him having claimed that he met with Mr. Lutsenko's predecessor as prosecutor general --

Mr. Hurd. Yeah. But that's not within current regime --

Ambassador Volker. That's not under the Zelensky government.

Mr. Hurd. -- in which we're talking about.

Ambassador Volker. I don't know who else he would have met with.

Mr. Hurd. In as few words as possible, what was your understanding of Ambassador Sondland's role in Ukraine?

Ambassador Volker. He cared about Ukraine. He wanted to see U.S. support for Ukraine increased. He wanted to see European Union support for Ukraine increased, including maintenance of sanctions, and he wanted to be helpful.

Mr. Hurd. Was Ambassador Sondland having conversations with senior Zelensky officials without letting other people know?

Ambassador Volker. I don't believe that he was not letting people know. I think he may have had some conversations, but I think he was just acting, you know, and I think we circled back quite frequently with myself, Ambassador Taylor, and others.

Mr. Hurd. Can you say that you have a clear understanding of what Ambassador Sondland and Mayor Giuliani were doing in all their interactions with Ukrainian officials?

Ambassador Volker. I can't say that I had a clear understanding. I thought that Ambassador Sondland and I were working on the same objective, which is getting a meeting between President Zelensky and President Trump, and that a statement, as I understood it, that mentioned Burisma and 2016 would be potentially helpful. I didn't know anything more about their interactions or what their thoughts were.

Mr. Hurd. If you didn't have a clear understanding as the special representative to Ukraine, do you think the Ukrainians had a clear understanding?

Ambassador Volker. No, I don't.

Mr. Hurd. You thought there was a difference between Burisma, Biden, and the 2016 election. Is that correct?

Ambassador Volker. That is correct.

Mr. Hurd. Do you think the Ukrainians had similar understanding?

Ambassador Volker. Yes, I do.

Mr. Hurd. There's also a perception that when Ambassador Yovanovitch, who we've all -- you know, her 33 years of being an awesome ambassador, that when she left Kyiv, that the U.S. position on corruption would weaken. That is kind of a narrative that's floating around. Who was the person that took over for her in the interim? Who was the Charge after --

Ambassador Volker. Immediately after Masha was Joe Pennington.

Mr. Hurd. Was this individual strong or weak on corruption?

Ambassador Volker. I would say, in line with all the rest of our policy.

Mr. Hurd. And after that individual, who was that person replaced with?

Ambassador Volker. Then that was Bill Taylor.

Mr. Hurd. Who you suggested for the position, correct?

Ambassador Volker. Yes.

Mr. Hurd. Was Ambassador Taylor strong or weak on corruption?

Ambassador Volker. Very strong.

Mr. Hurd. Mr. Morrison, in my last few minutes, who sets the official U.S. policy?

Mr. Morrison. Sir, the President.

Mr. Hurd. Not some other staffer within the NSC process?

Mr. Morrison. Sir, the NSC staff exists to ensure the President has the full array of options for his decision.

Mr. Hurd. Thank you. I yield back.

RPTR JOHNSON

EDTR SECKMAN

[7:37 p.m.]

The Chairman. Mr. Castro.

Mr. Castro. Thank you, Chairman. Thank you, gentlemen, for your testimony today.

Is it correct to say that both you gentlemen were either appointed or hired by the White House, by the Trump administration?

Mr. Morrison. Yes, sir.

Ambassador Volker. In my case, by Secretary Tillerson.

Mr. Castro. But part of the Trump administration?

Ambassador Volker. Yes, serving in the same administration.

Mr. Castro. Sure.

Ambassador Volker, you previously testified that Ambassador Gordon Sondland, quote: I just know that he had a relationship with President Trump that I did not have.

In fact, in one text message, dated July 26th, you wrote to Ambassador Sondland, quote: Great photo, Gordon. Can you get this to POTUS without intermediaries?

July 26th was the same day that Ambassador Sondland spoke to the President from a restaurant in Kyiv. Is that right?

Ambassador Volker. I'm sorry. The date again?

Mr. Castro. July 26th.

Ambassador Volker. Yes. I know that to be correct now.

Mr. Castro. Were you aware of that call?

Ambassador Volker. No, I was not.

Mr. Castro. This committee certainly is aware of it now, as we all are.

Were you aware that Ambassador Sondland had a direct line to the President?

Ambassador Volker. He claimed that he spoke to the President frequently.

Mr. Castro. Did you have reason to doubt that?

Ambassador Volker. Ambassador Sondland is a big personality and sometimes says things that might be a bit bigger than life.

Mr. Castro. But he, too -- he was a political appointee, he was handpicked by the President or somebody in the President's administration, to serve in his position?

Ambassador Volker. Correct, and I believe that he could speak with the President.

Mr. Castro. He had also been a large donor to one of Trump's -- President Trump's campaign committees. Is that correct?

Ambassador Volker. I have learned that, yes.

Mr. Castro. And, Mr. Morrison, you stated during your testimony that when you met Ambassador Sondland for the first time, he represented that, quote, his mandate from the President was to go make deals. And, in fact, you testified that between July 25th and September 11th of this year, you heard or learned that Ambassador Sondland and President Trump spoke on several occasions. Is it accurate that, every time you checked, you were able to confirm that Ambassador Sondland had, in fact, spoken to the President?

Mr. Morrison. Yes, Congressman.

Mr. Castro. Mr. Morrison, you also testified that Ambassador Sondland emailed you and several White House staff to say that he briefed President Trump in advance of his July 25th call with the Ukrainian President. Is that correct?

Mr. Morrison. Yes, Congressman.

Mr. Castro. Did Ambassador Sondland tell you what he briefed the President

on?

Mr. Morrison. It was -- he sent me an email, sir. It was a very succinct -- it was list of three items -- it was a very succinct item with respect to Ukraine. I briefed the President on the call.

Mr. Castro. And you testified that you personally confirmed that Ambassador Sondland and President Trump had spoken before the July 25th call.

Mr. Morrison. That is correct, Congressman.

Mr. Castro. And presumably the White House situation room keeps a record of those calls.

Mr. Morrison. Sir, that is how I was able to confirm it.

Mr. Castro. Okay. You separately testified that your staff prepared a briefing memo with suggested points for the President to raise on July 25th, points that were consistent with U.S. policy. Is that correct?

Mr. Morrison. Correct, Congressman.

Mr. Castro. But the President didn't use those points, did he?

Mr. Morrison. No, sir, he did not.

Mr. Castro. So I guess let me get this straight.

You prepared materials for the President, your materials did not include references to Biden or the 2016 election. Is that right?

Mr. Morrison. Correct, Congressman.

Mr. Castro. And then Ambassador Sondland, the guy who is the Gordon problem, the guy who has got the direct link to the President, the guy who is talking about making deals, briefed President Trump. Is that right?

Mr. Morrison. Correct, Congressman.

Mr. Castro. And then President Trump raised the 2016 election and Vice

President Biden and his son to the Ukrainian President after he was briefed by Ambassador Sondland. Is that right?

Mr. Morrison. Correct, Congressman.

Mr. Castro. It sounds like Ambassador Sondland and the President were on the same page. They both are working to benefit the President's personal political interests, even when that undermined U.S. foreign policy.

I would ask you in the short time that I have, both you gentlemen, who served the United States Government, whether -- putting President Trump aside, whether you believe that it's proper for any President, now or later, to ask a foreign government to investigate a U.S. citizen and specifically a U.S. citizen that could be a political rival?

Ambassador?

Ambassador Volker. I don't believe it is appropriate for the President to do that. If we have law enforcement concerns with a U.S. citizen generally, there are appropriate channels for that.

Mr. Castro. Mr. Morrison?

Mr. Morrison. I agree with Ambassador Volker, sir.

Mr. Castro. Thank you, Chairman.

I yield back.

The Chairman. Mr. Ratcliffe.

Mr. Ratcliffe. Thank you, Chairman.

Gentlemen, I appreciate both of you being here today. I know it's been a long day for you.

Mr. Morrison, I'm going to try and summarize some of what we've heard, to shorten this.

You were on the July 25th call; Colonel Vindman was on the July 25th call, correct?

Mr. Morrison. Yes, Congressman.

Mr. Ratcliffe. And I will tell you that he testified earlier today that he heard what he thought was a demand on that call that was improper and felt that he had a duty to report that.

I think we've established already that he did not discuss or report any of that to you, correct?

Mr. Morrison. Yes, Congressman.

Mr. Ratcliffe. But you did have a discussion with Colonel Vindman about other concerns that he had with the call, and I believe you said the fidelity of the translation and the fact that you both shared a discussion about not -- there not being a full-throated embrace of the Ukrainian reform agenda. Is that fair?

Mr. Morrison. Yes, Congressman.

Mr. Ratcliffe. Okay. But with respect to his concern about something improper, specifically at no point did he come to you and say, "I heard something that I thought was improper and was a crime"?

Mr. Morrison. Sir, I have no recollection of him doing that.

Mr. Ratcliffe. No bribe, no extortion, no quid pro quo, all of the things that Ms. Stefanik asked you?

Mr. Morrison. No, sir.

Mr. Ratcliffe. And as you were listening, did you hear President Trump make a demand of anything that would constitute a crime?

Mr. Morrison. Sir, I've been trying to stay on the safe side of making legal conclusions, but no, sir, I did not hear him make any sort of demand.

Mr. Ratcliffe. You have a law degree?

Mr. Morrison. I do, sir.

Mr. Ratcliffe. So you're at least generally familiar with bribery and extortion, generally.

Mr. Morrison. I'm not lawyer for the United States, sir.

Mr. Ratcliffe. But is it fair to say that, as you were listening to the call, you weren't thinking, wow, the President is bribing the President of Ukraine? That never crossed your mind?

Mr. Morrison. It did not, sir.

Mr. Ratcliffe. Or that he was extorting the President of Ukraine?

Mr. Morrison. It did not, sir.

Mr. Ratcliffe. Or doing anything improper?

Mr. Morrison. Correct, sir.

Mr. Ratcliffe. And have you heard or read in the media where President Zelensky agrees with you and said repeatedly and consistently that he didn't hear any demand, he didn't hear any conditions, he didn't feel any pressure, he didn't experience anything improper or corrupt on the call?

Mr. Morrison. Sir, I attended the bilat in New York at the U.N. General Assembly, and he made clear at the time in front of the press that he felt no pressure.

Mr. Ratcliffe. So did anyone on the National Security Council, after this call, express to you that some crime, bribery, extortion, quid pro quo, anything had occurred?

Mr. Morrison. No, sir.

Mr. Ratcliffe. I want to ask you, Mr. Morrison, about the whistleblower complaint. I don't want to ask you to speculate as to the identity, but I want to ask you about the accusations that started this, as to the veracity.

First of all, the whistleblower, who apparently was not on the call, advised the ICIG that he or she was concerned that the President's conduct constituted, under title 50

U.S.C., section 3033, quote, a serious problem, abuse, or violation of law or executive order, end quote.

Again, to be clear, you didn't hear a violation of law or executive order as you listened to the call?

Mr. Morrison. Sir, I made no judgment about any illegal conduct occurring.

Mr. Ratcliffe. The whistleblower also reported, in starting this inquiry, asserted that President Trump, quote, sought to pressure the Ukrainian leadership to take actions to help the President's 2020 reelection bid.

President Trump does not mention 2020 during the call, does he?

Mr. Morrison. No, sir, I don't believe he did.

Mr. Ratcliffe. President Trump doesn't mention his reelection bid during the call, does he?

Mr. Morrison. Sir, I don't believe he did.

Mr. Ratcliffe. And you did not hear President Trump pressure or have a demand of any kind as we've already established, correct?

Mr. Morrison. Correct, sir.

Mr. Ratcliffe. The whistleblower, like Colonel Vindman, also uses the word "demand."

Ms. Van Gelder. Did you say "whistleblower like Colonel Vindman"? I don't think that's a fact that's in evidence.

The Chairman. Counsel, you should use the microphone.

Ms. Van Gelder. Thank you. I'm sorry.

In all due respect, Congressman, I believe you just said "a whistleblower like Colonel Vindman."

Mr. Ratcliffe. No, I said -- I'm sorry.

Ms. Van Gelder. At least that's not in evidence.

Mr. Ratcliffe. The whistleblower, like Colonel Vindman, also use the word "demand." On page 4, the whistleblower asserted, quote: Ambassador Volker and Sondland purportedly provided advice to Ukrainian leadership about how to navigate the demands the President had made of Mr. Zelensky, end quote.

Again, there were no demands from your perspective, Mr. Morrison?

Mr. Morrison. That is correct, sir.

Mr. Ratcliffe. All right. So speculations about the whistleblower aside, with regard to motivations, the fact is that the whistleblower was wrong about many of the facts as well, correct?

Mr. Morrison. Sir, I'm not intimately familiar with the whistleblower complaint, but I did not hear a demand in that call.

Mr. Ratcliffe. I yield back.

The Chairman. The gentleman's time has expired.

Mr. Heck.

Mr. Heck. Thank you, Mr. Chairman.

Ambassador Volker, I want to thank you for being here today. And I, frankly, found some of your opening statement to be not just genuine but downright eloquent. In particular, I noted the passages about pushing back on Russian aggression and supporting the development of a strong, resilient, democratic, and prosperous Ukraine, one that overcomes a legacy of corruption and that this is critically important for U.S. national security.

Some of us believe that we're not pushing back strongly enough on Russia. Some of us believe we're not being supportive enough of the Ukraine. But one of our challenges is to go home to the people for whom we work and help explain to them why

it is in our national security interest.

You have an audience like you'll never have again, to -- to look into the camera and tell the American public why it is important to support Ukraine, why it should matter to them if the biggest issue in their life is getting their kids off to school, paying their bills and the like, sir.

Ambassador Volker. Thank you so much, Congressman.

I agree with you completely that we are not pushing back hard enough on Russia and that we owe Ukraine a great deal of support.

Mr. Heck. Why does it matter?

Ambassador Volker. Russia is trying to upend security in Europe. It's trying to reassert its domination of neighboring countries, whether it's Georgia or Ukraine or the Baltic states. It has led to war in Europe. The war in Ukraine has left more people dead in Europe in a European war than anything since the Balkans. More people displaced by a war in Europe since anything since World War II. These are people who stand up for freedom, for democracy. They want reform. They want to see their country be successful like Germany, like Sweden, like us, and they are fighting a war of aggression against them designed to hold them back.

And if we want to live in a world of freedom for the United States, we ought to be supporting freedom for people around the world.

Mr. Heck. Thank you for that.

So we're here in part because under cover of a concern for general corruption, some of us believe there wasn't -- in fact, there was something quite nefarious as the alternative -- that there wasn't a concern about general corruption.

But reviewing the record on that, sir, is it not true that, in March of this year, the Department of Defense certified Ukraine as having been sufficient -- having made

sufficient progress to continue to receive military assistance?

Ambassador Volker. I don't know the details of that, but I believe that to be correct.

Mr. Heck. Is it not true that, on April 21st, President Zelensky won an overwhelming mandate with 73 percent of the vote, based largely on his effort and advocacy for anticorruption?

Ambassador Volker. That is correct.

Mr. Heck. Is not true that this mandate was affirmed and expanded on July 21st when his party won one-party control, again on the basis of anticorruption?

Ambassador Volker. That is correct.

Mr. Heck. In fact, subsequently he enacted sweeping reforms to combat anticorruption, did he not?

Ambassador Volker. Yes, he has.

Mr. Heck. And is it not true that everybody on the ground thought or was filled in optimism that Ukraine was getting serious about combating corruption?

Ambassador Volker. That is correct.

Mr. Heck. Ambassador Volker, did you know that one of the very first anticorruption measures passed in the Ukraine was a law to provide for the impeachment of the President?

Ambassador Volker. I did not know that.

Mr. Heck. It's true. Because he thought we should start with himself.

I raise this because my friends on the other side of the aisle keep characterizing this impeachment inquiry as inherently wrong because -- and I'm quoting them -- it will overturn an election. Over and over, it will overturn an election. Well, impeachment is an anticorruption tool.

And for my friends on the other side of the aisle, yes, it does overturn an election. By definition it overturns an election. I don't know if they've got a problem with our Constitution and its provisions for impeachment, but I recommend they reread the relevant passages in Article I, sections 2 and 3, and some of the history about how we got there.

Look, none of us wants to be here, despite what is being said. None of us came to this easily. I didn't. I will recall for the rest of my life the 48 hours I spent at our family cabin, literally plunged in self-reflection and literally prayerful deliberation about this whole matter.

Collectively, we are going to have to grapple with this very grave decision. It's weighty. And it's going to get hard. And it's hard in proportion to its importance to our great Republic, a Republic if we can keep it.

I yield back, Mr. Chairman.

The Chairman. Mr. Jordan.

Mr. Jordan. Thank you, Mr. Chairman.

Ambassador Volker, in the now famous call transcript, the bottom of page 3, President Trump said this: I heard you had a prosecutor, and he was shut down, and that's really unfair.

Just for clarification, do you believe President Trump was talking about Lutsenko or Shokin?

Ambassador Volker. Shokin.

Mr. Jordan. Thank you so much. That's what I thought as well.

Mr. Morrison, you testified in your deposition you had issues with Colonel Vindman's judgment. Is that right?

Mr. Morrison. It is, sir.

Mr. Jordan. And you said specifically that you had concerns with Colonel Vindman exercising, quote, appropriate judgment as to who he said what. Is that right?

Mr. Morrison. It is, sir.

Mr. Jordan. You testified that Dr. Hill, your predecessor at NSC, told you that she had concerns about Colonel Vindman's judgment. Is that right?

Mr. Morrison. It is, sir.

Mr. Jordan. And you testified that Colonel Vindman did not always adhere to the chain of command. Is that right?

Mr. Morrison. I believe so, yes, sir.

Mr. Jordan. You testified that you were aware of issues with Colonel Vindman trying to access information outside his lane. Is that correct?

Mr. Morrison. Sir, I believe I stated that I was aware that there were those who were concerned about that, yes, sir.

Mr. Jordan. Okay. Thank you. You testified that Colonel Vindman was not included on certain trips. Is that right?

Mr. Morrison. Yes, sir.

Mr. Jordan. And you testified that colleagues expressed concerns to you about Colonel Vindman leaking information. Is that right?

Mr. Morrison. Yes, sir.

Mr. Jordan. Now, when I asked Colonel Vindman why he didn't go to you with his concerns about the call, even though you, his boss, had no concerns about anything being -- I think your language was nothing improper, nothing illegal on the call -- I asked Colonel Vindman earlier this morning why he didn't go to you and instead went and talked to the lawyers, his brother, Secretary Kent, and one other person that he wouldn't tell us and Chairman Schiff wouldn't allow him to tell us.

When I asked him why he did that, he indicated that the lawyers had instructed him to do that, and he tried to get ahold of you.

Is that fair?

Mr. Morrison. Sir, I watched part of the proceedings this morning. I heard him say that, yes, sir.

Mr. Jordan. Okay. Well, one thing that Chairman Schiff brought up at the end of this morning's hearing, he said -- he pointed out that you, Colonel Vindman's boss, also went to the lawyers. But your reason for going to the lawyers was a little different, wasn't it?

Mr. Morrison. Yes, sir.

Mr. Jordan. Yeah, I think you had a few things that Mr. Castor and you talked about earlier in today's hearing. But I think at the top of your list was you were concerned about the contents of the call leaking out. Is that fair?

Mr. Morrison. Yes, sir.

Mr. Jordan. And that's exactly what happened, isn't it?

Mr. Morrison. Sir, I don't know that the contents leaked out. There was a whistleblower complaint. The President chose to declassify the MEMCON.

Mr. Jordan. Well, it seems to me you were prophetic, Mr. Morrison, because you said in your statement today: As I stated during my deposition, I feared at the time of the call, on July 25th, how the disclosure of the contents of the call would play in Washington's political climate. My fears have been realized.

Seems to me you saw what might happen, and it sure enough did. Fair to say?

Mr. Morrison. Yes, sir.

Mr. Jordan. And we get all this -- I mean, we get all this, and that's the part that gets me. We get all of this, these hearings, these weeks of basement -- in the bunker in

the basement of the Capitol. And four facts that we keep coming back to have never changed, will never change.

We've heard from both of you today that confirmed these fundamental facts. We got the call transcript, as you both said, no linkage to security assistance dollars and investigations in the call transcript. We've got the two individuals who were on the call. They've both said no linkage, no pressure, no pushing. We've got the fact that the Ukrainians didn't even know aid had been withheld until August 29th, and, most importantly, the Ukrainians did nothing as far as starting, promising to start, announcing they were going to start investigation, did nothing, and the aid got released.

And I believe it got released because of what we've been talking about, the good work of Mr. -- excuse me -- Ambassador Volker and others. I believe that's why it happened. And yet here we are. And you called it all. You saw this coming. That's why you went to the lawyers. That's why you wanted to -- that's why the concern was there, and that's the part that's most troubling.

I yield back, Mr. Chair.

I yield to the gentleman from Ohio.

Mr. Turner. Ambassador Volker, on Daily Mail, they currently have this headline. It says Ukraine Special Envoy Kurt Volker walks back his closed-door testimony and says, quote, he has now learned there was a link between U.S. military aid and a Biden probe. That's not your testimony today, is it?

Ambassador Volker. I don't believe that's in my testimony.

Mr. Turner. Thank you.

I yield back.

The Chairman. Mr. Welch.

Mr. Welch. Thank you. Just following up on Mr. Jordan, the easiest way to

avoid investigation is to not do anything wrong.

I want to talk a little bit about why we're here. Official government actions can't be traded for helping a political campaign. Let me give an analogy and ask each of you if you agree.

Could a mayor of a city withhold funding for the police department budget unless the police chief agreed to open up an investigation on a political rival?

Mr. Morrison?

Mr. Morrison. In that hypothetical, no, I don't think he should do that.

Mr. Welch. Yeah.

And, Ambassador Volker, I'm sure you agree?

Ambassador Volker. Yes.

Mr. Welch. And the same would be true if it were a Governor withholding the budget request of the State police, unless the State police agreed to conduct an investigation on a political rival. You would agree?

Ambassador Volker. Correct.

Mr. Morrison. Yes, sir.

Mr. Welch. In your view, is it any different for a Member of Congress? Of course not, right?

Would you agree that the President has the same obligation as the mayor, as the Governor, as the Member of Congress, to not withhold aid unless he gets an investigation into a political rival?

Mr. Morrison?

Mr. Morrison. Yes, sir, I would agree with that hypothetical.

Ambassador Volker. I would agree.

Mr. Welch. Thanks.

And we're having a debate here, both sides, as to how to read what's plainly before us of the Presidential phone call where the President ignored the work of the advisors and the National Security Council, talking points, and instead chose to talk about the Bidens and talk about Hunter Biden and ask for an investigation. So we are just going to have to debate that.

But isn't the principle that no person, including the President, is above the law absolutely essential and worth the effort to make certain that we continue to guarantee, Ambassador Morrison?

Mr. Morrison. Sir, I haven't been promoted.

Mr. Welch. I'm sorry. Ambassador Volker. I'm sorry. Pardon me.

Ambassador Volker. Yes.

Mr. Welch. And Mr. Morrison?

Mr. Morrison. Sir, the rule of law is essential to our democracy.

Mr. Welch. It's so true.

You know, we've had some discussions and challenge from the other side that the President has authority in foreign policy to do what he likes. And, in fact, he does.

You know, a recent precedent by President Trump to take our troops out of Syria and allow the Turkish forces to go in literally meant that some Kurdish families went to bed Saturday night and woke up Sunday morning, packed their kids, and fled for their lives.

A lot of people, including both sides of the aisle, totally disagreed with that, but the President has the authority to do it, impulsive as that decision may have been, unwise as it may have been, as threatening to our national security.

We're not talking about that here.

And, Ambassador Volker, I've listened to your testimony and I take it -- and thank

you for making efforts to try to advance what had been a bipartisan Ukraine policy, help Ukraine get rid of corruption, help resist Russian aggression.

But what you came to learn painfully is that there was a sidebar Ukraine policy with Giuliani as the advocate, and it appears Ambassador Sondland is very much involved.

Is that correct?

Ambassador Volker. I don't know everything about that, sir.

Mr. Welch. You don't. But as you have been involved and with the benefit of hindsight, while you were working on what you thought was stopping aggression and ending -- and eliminating corruption, there was a side deal here to get investigations going, correct?

Ambassador Volker. And so my objective was purely focused on support for Ukraine, national security, and I now have learned, through other testimony, about the President's statement about investigating Biden and other conversations that I did not know about.

Mr. Welch. Right. And thank you for that and thank you for your candor about Vice President Biden's integrity and service.

But the bottom line here is, at the end of the day, we're going to have to make a judgment about what the President was up to with respect to that request for the favor and how it repudiated the policy that was the bipartisan effort in Ukraine and raises questions about how he, in that hypothetical example I gave of the mayor, held himself to be above the law.

I yield back.

The Chairman. Mr. Maloney.

Mr. Maloney. Gentlemen, thank you for being here.

Ambassador Volker, I was struck by your opening statement. You moved a long

way from the testimony you presented to us in October. And I know you gave a reason for that, which is that you were in the dark about a lot of these things.

Is that fair to say?

Ambassador Volker. That is one thing, is that I learned a lot out of the testimony of --

Mr. Maloney. You learned a lot. You learned a lot. And what you said on page 8 -- I'm referring to the statement that you gave this morning -- excuse me -- this afternoon -- that: I did not know -- this is quoting -- I did not know that President Trump or others had raised Vice President Biden with the Ukrainians or had conflated the investigation of possible Ukrainian corruption with investigation of the former Vice President Biden, right?

Ambassador Volker. Right, correct.

Mr. Maloney. You didn't know Burisma meant Biden? That's what you're saying?

Ambassador Volker. Right. I had separated the two.

Mr. Maloney. I got it. Well, you didn't know, right? You were -- do we have to go through it, sir? I mean, you were there on May 23rd for the meeting with the President when he said talk to Rudy. And Rudy sure cared about the investigations, which you know now meant Biden, right? But you missed on May 23rd, right?

Ambassador Volker. No, sir. I understood at the time that Hunter Biden, Vice President Biden's son, had been a board member of Burisma.

Mr. Maloney. I understand. But you didn't read that as a request to investigate the Bidens at that time. That's all I'm saying.

Ambassador Volker. Correct.

Mr. Maloney. And on July 10th, you were at not one but two meetings at the

White House where Ambassador Sondland raised the investigations, but you didn't know it was about the Bidens. That's your testimony, right, at the time?

Ambassador Volker. I did not think he was talking about anything specific.

Mr. Maloney. Right. You heard him say investigations, and you thought it was inappropriate, and the chairman asked you about that, but you said: Oh, it's because I didn't know it was the Bidens; I just thought it was inappropriate.

And then I guess when they were in the Ward Room and Ambassador Sondland raised Burisma and the Bidens and 2016, you missed that, too, as I understand it?

Ambassador Volker. That is correct.

Mr. Maloney. Right. And then, of course, on July 18th, you knew aid was withheld. And then, in August, you spent a good part of the time with this statement with Rudy Giuliani, right? I mean, you were the guy making the changes and interacting with the Ukrainians; you were putting in Rudy's changes, which included a call for investigating Burisma and the 2016 elections, which you now know meant Bidens, right? You didn't know it at the time, right? But now we know it, right?

And then, on September 1st, you were in Warsaw -- I mean, you're at every point in this. You were in Warsaw, and you were there when Ambassador Sondland told Andriy Yermak that he was not going to get security assistance, he wasn't going to get a White House meeting, unless there was the investigation -- and I understand you missed that; you were out of the loop then.

Ambassador Volker. That's not correct, sir. I was not in Warsaw at these meetings.

Mr. Maloney. Oh, excuse me. You were not in Warsaw, but you heard about it right after from Sondland. Is that right?

Ambassador Volker. No, that's not quite correct either. It was sometime later.

Mr. Maloney. I got it. So but now we know, right? Now you know what it meant, and you said: In retrospect, I should have seen that connection differently and had I done so, I would have raised my own objections.

Ambassador Volker. Right. That is correct.

Mr. Maloney. What are the objections you would have raised, sir?

Ambassador Volker. What I would have raised is that people are conflating investigating the Bidens with investigating these Ukrainian companies --

Mr. Maloney. But would you have objected to the President asking for an investigation of the Bidens? As you sit here now, you said: I would have raised my own objections.

Ambassador Volker. Yes.

Mr. Maloney. If you knew it was the Bidens.

Ambassador Volker. If I knew we were talking about investigating Vice President Biden and asking the Ukrainians --

Mr. Maloney. And his son.

Ambassador Volker. -- to do that, that would have been inappropriate, and I would have objected to that.

Mr. Maloney. Right. And so, if you had heard him ask for it on the call and you said, in retrospect, the Ukrainians clearly would have been -- it would have been confusing, right?

Ambassador Volker. Correct.

Mr. Maloney. Is confusing the right word, sir? I mean, it would have put them in the position of having to do some something inappropriate, right, investigate the Bidens?

Ambassador Volker. I think confusing is the right word, because they were

clearly hearing something from the President in one conversation and different from me as a U.S. Special Representative, different from --

Mr. Maloney. Maybe, sir, they understood that investigating Burisma and investigating 2016, in fact, meant the Bidens, even though you didn't. I mean, in fact, at the time you were talking to Yermak and putting those changes in the statement, he had talked to Sondland, right, at the same time, and so the point being that they were put in an impossible position. They were being asked to do something inappropriate. And you now know that, right? And you would have raised your own objections.

Ambassador Volker. I know they were asked in the phone call to do that. In the conversations that I had with the Ukrainians, we were not asking them to do that. And even at that point, the Ukrainians, perhaps with the knowledge of this phone call, which I did not have knowledge of at the time, is that we just don't want to go there.

Mr. Maloney. Right. So, in retrospect, though, you would have raised objections. You would have said it was inappropriate for the President --

Ambassador Volker. Correct.

Mr. Maloney. -- to do this?

Ambassador Volker. Correct.

Mr. Maloney. Mr. Morrison, can I just ask you, sir, so -- I'm stuck on this issue of you didn't see anything wrong with the call, but you went straight to NSC legal to report it.

Is that your testimony to us today?

Mr. Morrison. Yes, sir.

Mr. Maloney. Thank you, sir.

I yield back.

The Chairman. Mrs. Demings.

Mrs. Demings. Thank you, Mr. Chairman.

Mr. Morrison and -- to both of you, thank you so much for your service. Thanks for being here. It's been a long day.

Mr. Morrison, just to follow up on the question from my colleague, you responded earlier to a series of questions about the call and basically saw nothing wrong with it, yet you skipped your chain of command to go to legal counsel to find out -- I guess, to find out what to do because you were concerned about the political fallout, not about anything being inappropriate or wrong with the call. Is that correct?

Mr. Morrison. Ma'am, I don't agree with the premise, no.

Mrs. Demings. Okay. Could you tell me why you felt the need? You saw nothing basically wrong with the call, yet you skipped your chain of command to go to counsel because of what? What was the reason for that?

Mr. Morrison. I don't know that I -- again, I don't agree with the premise, ma'am. I don't think I did skip my chain of command. If I had seen something wrong, I would have --

Mrs. Demings. And who is your direct report?

Mr. Morrison. The Deputy National Security Advisor.

Mrs. Demings. And the name of the person?

Mr. Morrison. Dr. Charles Kupperman.

Mrs. Demings. Okay. Dr. Kupperman. Did you speak with him before you spoke with legal counsel?

Mr. Morrison. No. No, ma'am.

Mrs. Demings. But you don't feel you skipped your chain of command in doing so, going directly to counsel?

Mr. Morrison. Ma'am, if I may, I viewed my engagement with the NSC legal

advisor as one largely focused on administrative matters. I was interested in locking down the transcript. That's an administrative matter. I was interested in making sure that the legal advisor was aware of the call because I didn't see anybody from the legal advisor's office.

Mrs. Demings. And why were you so concerned about the legal advisor being aware of this call that you saw nothing basically wrong with the substance or content of the call?

Mr. Morrison. Because I did not see anybody from the legal advisor's office in the listening room, and I wanted to make sure somebody from the legal advisor's office was aware, and I wanted to make sure it was a senior person.

Mrs. Demings. And what is it that you wanted them to be aware of specifically?

Mr. Morrison. I wanted them to be aware of the call, because I wanted them to know what had transpired.

Mrs. Demings. What concerned you to the point where you wanted them to know what had transpired that you went directly to legal counsel to inform them of?

Mr. Morrison. My equivalent of the head of NSC legal was and is John Eisenberg. He was my equivalent in that position. I wouldn't go to somebody subordinate to him; I would go to him.

Mrs. Demings. Didn't you testify earlier that you were concerned about the political fallout based on the political climate in D.C.?

Mr. Morrison. Yes, ma'am. Yes, ma'am.

Mrs. Demings. Okay. All right. And so how long have you supervised Lieutenant Colonel Vindman?

Mr. Morrison. Ma'am, approximately -- well, I guess not approximately -- July 15th to October 31st or so.

Mrs. Demings. Okay. All right. Thank you.

Ambassador Volker, you testified that you believe congressional pressure helped unfreeze the security assistance being released.

Do you still stand by that testimony today?

Ambassador Volker. I believe it was important. I met with staff members of the Senate Armed Services Committee. And I then saw the letter that several senators signed and sent to Chief of Staff Mulvaney. And I was briefed about the possibility of a couple of phone calls from some senior members of the Senate as well.

Mrs. Demings. Thank you.

Mr. Chairman, I yield my remaining time to you.

The Chairman. I thank the gentlewoman for yielding.

Ambassador Volker, I just wanted to follow up on a couple of questions about Ukrainians not being aware of the aid being withheld.

You're aware, I'm sure, of the testimony of Colonel Vindman that, in fact, he was contacted by someone within the Ukrainian Embassy who was concerned about the hold prior to its becoming public?

Ambassador Volker. I was not aware of that, but I take that.

The Chairman. Are you aware of Ms. Croft's testimony and transcripts that have been released that, in fact, the Ukrainians found out quite quickly after the hold was placed in July that she was impressed with Ukrainian tradecraft and that the Ukrainians had a reason to keep it silent and not make it public?

Ambassador Volker. I saw that in her testimony.

The Chairman. You don't have any reason to question whether, in fact, that testimony was accurate, do you?

Ambassador Volker. No, I don't.

The Chairman. So the Ukrainians did find out before it was public, at least according to these two witnesses. But, nevertheless, the Ukrainians certainly found out it was public when it was published in the newspaper, right?

Ambassador Volker. That is correct, in August 29th.

The Chairman. And at the time they found out from the newspaper, they still hadn't had the White House meeting, and they still didn't have the aid. And at that point, they had already had the conversation with the President in which he asked them to investigate the Bidens, correct?

Ambassador Volker. That is correct.

The Chairman. Mr. Krishnamoorthi.

Mr. Krishnamoorthi. Good evening to both of you, and thank you for your service.

Ambassador Volker, on page 7 of your opening statement today, you said, since events surrounding your earlier testimony, October 3rd, quote/unquote, "A great deal of additional information and perspectives have come to light. I have learned many things that I did not know at the time of the events in question," correct?

Ambassador Volker. Yes, that is correct.

Mr. Krishnamoorthi. That includes conversations that occurred as well as meetings that occurred of which you weren't a part, correct?

Ambassador Volker. That's correct.

Mr. Krishnamoorthi. Sir, you obviously were not a part of the July 25th call. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. You were not aware that Ambassador Sondland, according to your opening statement, had a call with President Trump on July 26th, correct?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. On September 1st, you weren't present for the sidebar meeting between Ambassador Sondland and Special Advisor Yermak. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. And you certainly weren't part of the phone call between Ambassador Taylor and Ambassador Sondland in which Ambassador Sondland, according to multiple people now, said that everything, a White House meeting as well as military aid, were dependent on public announcements of investigations. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. And, certainly, sir, you weren't part of the phone call on September 7th between Ambassador Sondland and President Trump in which President Trump insisted that President Zelensky go to a mike and publicly announce investigations of President Trump's domestic rivals. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. And certainly you weren't part of the September 8th phone call between Ambassador Sondland and President Trump where President Trump again insists that these announcements have to happen. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. Sir, you say you weren't a witness to any kind of quid pro quo or conditionality between military assistance and investigations, what someone called missiles for misinformation today. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. But, sir, you weren't present for many, if not all, of the phone calls and conversations where these alleged instances of quid pro quo occurred. Isn't that right?

Ambassador Volker. That is correct.

Mr. Krishnamoorthi. Sir, let me turn your attention to another topic that's come up today or actually came up last Friday.

You have high regard for Ambassador Yovanovitch, correct?

Ambassador Volker. Yes, I do.

Mr. Krishnamoorthi. I presume you were aware that when the Ambassador was testifying, President Trump actually tweeted very disparaging remarks about her, right?

Ambassador Volker. I saw that moment.

Mr. Krishnamoorthi. And I presume that you disapprove of those types of tweets, correct?

Ambassador Volker. Yes. I don't think that's appropriate.

Mr. Krishnamoorthi. You've supervised many, many people over the years during your career in the Foreign Service, right?

Ambassador Volker. Yes, I have.

Mr. Krishnamoorthi. And you would never do that to one of your direct reports or anybody who worked in your organization, right?

Ambassador Volker. No, I would not.

Mr. Krishnamoorthi. It's just wrong.

Ambassador Volker. I believe that, even when you feel like you need to criticize, criticism is private, praise is public.

Mr. Krishnamoorthi. And I also believe that you're a man of honor and you would not attack a veteran; you would not attack someone who is currently serving in the military who is doing their duty, correct?

Ambassador Volker. I respect the service of our members in uniform.

Mr. Krishnamoorthi. In fact, there's a certain man that we both admire, the late

Senator John McCain --

Ambassador Volker. Yes.

Mr. Krishnamoorthi. -- who, unfortunately, was attacked, not only when he was alive but after he died, by the current President. Isn't that right?

Ambassador Volker. That is true.

Mr. Krishnamoorthi. And I presume that you would disapprove of all of those attacks on John McCain, right?

Ambassador Volker. Yes. I knew John McCain very, very well for a very long time. He's an honorable man and very much a war hero for his country.

Mr. Krishnamoorthi. Well, today, sir, as Lieutenant Colonel Vindman was testifying, our President used the official Twitter account of the Office of the President to attack Lieutenant Colonel Vindman's credibility. I presume you don't approve of those types of tweets either, do you?

Ambassador Volker. I was not aware of that. And as with Ambassador Yovanovitch, it's not appropriate.

Mr. Krishnamoorthi. Thank you, sir. Thank you for your service.

And thank you, Mr. Morrison, for yours as well.

The Chairman. That concludes the member questioning.

I now recognize ranking member for any closing comments he has.

Mr. Nunes. Thank you. As the first day of this week's impeachment TV marathon draws to a close, I'd like to remind the American people what we're watching.

The public hearings are the culmination of 3 years of incessant Democrat efforts to find a crime to impeach the President. First, they tried to manufacture evidence that the President colluded with Russia. To accomplish this task, the DNC and the Clinton campaign worked with a former British spy, Christopher Steele. Steele assembled a

dossier of false information alleging the Trump campaign colluded with Russia. That dossier was largely assembled from Russian and Ukrainian sources that the Democrat contractors worked with.

Next, they primed their hopes on the work of Robert Mueller. Mueller spent 2 years and millions of taxpayer dollars seeking evidence of a crime that we know wasn't committed. Mueller's failure was a devastating blow to Democrats, who clearly hoped his work to be the basis for the removal of the President.

Today, we are witnessing the Ukraine hoax, the direct-to-TV sequel to the Russia collusion hoax. The plot of the Ukraine hoax is hard to follow. It shifts from day-to-day. First, the Democrats claimed they had evidence of quid pro quo; then extortion and witness intimidation. Now Democrats are pinning their hopes on bribery.

Like any good Hollywood production, Democrats needed a screen test before releasing their latest attack on the President. They leveraged the secrecy of the House Intelligence Committee to interview a cast of characters in preparation for these public hearings. With the media's enthusiastic support, they built a narrative based on the selectively leaked testimony.

If Speaker Pelosi and the Democrats on this committee are seeking the truth, they would want to know the answers to the following questions that they refuse to ask: To what extent did the whistleblower coordinate with the Democrats on this committee and/or his staff? What is the full extent of Ukraine's election meddling against the Trump campaign in 2016? Why did Burisma hire Hunter Biden, and what did he do for them, and did his position impact any U.S. Government actions under the Obama administration?

The American people were promised a grave and somber impeachment inquiry. Instead, they got the salacious spy screen comedy that they've been working on for 3

years.

Good night. See you in the morning.

The Chairman. I thank the gentleman.

And I thank you both for your testimony today.

I would highlight a couple of things about what we've heard this afternoon.

First, Ambassador Volker, your written testimony in which you say, "In hindsight, I now understand that others saw the idea of investigating possible corruption involving the Ukrainian company Burisma as equivalent to investigating former Vice President Biden. I saw them as very different -- the former being appropriate and unremarkable the latter being unacceptable."

"In retrospect," you said, "I should have seen that connection differently, and had I done so, I would have raised my own objections."

Ambassador, we appreciate your willingness to amend your earlier testimony in light of what you now know. And I think you made it very clear that, knowing what you do today, that, in fact, the President sought an investigation of his political rival, Vice President Biden, that you would not have countenanced any effort to encourage the Ukrainians to engage in such conduct.

I appreciate also that you were able to debunk, I hope for the last time, the idea that Joe Biden did something wrong when he, in accordance with U.S. policy, sought to replace a corrupt prosecutor, something that not only the U.S. State Department wanted, not only the European Union wanted, and not only the IMF wanted, but was the consensus position of the United States national security infrastructure. You didn't get a lot of questions about that today as other witnesses did because I think you effectively said that was not all nonsense. And we appreciate your candor about that.

Mr. Morrison, I think what is most remarkable about your testimony is the

acknowledgment that, immediately after the Vice President met with President Zelensky in Warsaw, you witnessed Gordon Sondland meeting with Andriy Yermak, a top advisor to President Zelensky, and then, immediately thereafter, Sondland told you that he had informed the Ukrainians that, if they wanted that \$400 million in military aid, they were going to have to do those investigations that the President wanted.

And you were later informed -- and this is also significant, as you have testified here today -- that the Ambassador Sondland had a subsequent conversation with President Trump and informed you that it wasn't going to be enough for the Ukrainian prosecutor general to announce the investigations the President wanted; President Zelensky had to do it himself if he wanted to get that aid, let alone the meeting in the White House.

Now, you have been asked to opine on the meaning of the term "bribery," although you weren't asked to opine on the meaning of the terms "high crimes and misdemeanors."

But bribery, for those watching at home, is the conditioning of official acts in exchange for something of personal value. The official acts we're talking about here are a White House meeting that President Zelensky desperately sought and, as you have acknowledged, Ambassador Volker, was deeply important to this country at war with Russia, to show the United States had this new President's back. That meeting was important. That meeting is an official act. The military assistance is even more significant because Ukrainians are dying every day in their war with Russia.

And so the withholding of military assistance to get these investigations, which you now have acknowledged, Ambassador Volker, was wrong for the President to request, the idea of withholding that military aid to get these political investigations should be anathema to -- repugnant to every American because it means the sacrifice,

not just to the Ukrainian national security but American national security, for the interest of the President personally and politically.

Now, my Republican colleagues, all they seem to be upset about with this is not that the President sought an investigation of his political rival, not that he withheld a White House meeting and \$400 million in aid we all passed on a bipartisan basis to pressure Ukraine to do those investigations; their objection is he got caught. Their objection is that someone blew the whistle. And they would like this whistleblower identified. And the President wants this whistleblower punished. That's their objection -- not that the President engaged in this conduct, but that he got caught. Their defense is, well, he ended up releasing the aid. Yes, after he got caught. That doesn't make this any less odious.

Americans may be watching this and asking, why should the United States care about Ukraine? Why should we care about Ukraine? And this was the import, I think, of the conversation -- the now infamous conversation in that Kyiv restaurant with Gordon Sondland holding the phone away from his head because the President was talking so loud.

What does the President ask in that call the day after the now infamous call he had with Zelensky? What does he ask on that cellphone call? Not whether the Rada had passed some new anticorruption reform. No. Are you Ukrainians going to do the investigation? Meaning into Biden. And Sondland's answer is: They're going to do it. They'll do essentially anything the President wants.

But what is more telling is the conversation, I think, that Sondland has with the Foreign Service Officer Holmes afterwards, in which the President says, basically, Donald Trump doesn't give an expletive about Ukraine; he cares about the big things.

And Mr. Holmes says: Well, Ukraine is at war with Russia; the Russians, that's

kind of a big thing.

And Sondland's answer is: No, no, he cares about big things that affect his personal interests.

This is why Americans should care about this. The Americans should care about what happens to our allies who are dying. But Americans should care about their own national security and their own President and their own Constitution.

And they all need to ask themselves, as we will have to ask ourselves in Congress, are we prepared to accept that a President of the United States can leverage official acts, military assistance, White House meetings, to get an investigation of a political rival? Are we prepared to say, well, you know, I guess that's just what we should expect of a President of the United States?

I don't think we want to go there. I don't think our Founding Fathers would have wanted us to go there. Indeed, I think when the Founding Fathers provided a remedy, that remedy being impeachment, they had the very concern that the President of the United States may betray the national security interests of the country for personal interests.

They put that remedy in the Constitution, not because they wanted to willy-nilly overturn elections; no, because they wanted a powerful anticorruption mechanism when that corruption came from the highest office in the land.

We are adjourned.

[Whereupon, at 8:28 p.m., the committee was adjourned.]