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EXECUTIVE SESSION
PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
joint with the
COMMITTEE ON OVERSIGHT AND REFORM,
and the
COMMITTEE ON FOREIGN AFFAIRS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

DEPOSITION OF: AMBASSADOR DAVID MACLAIN HALE

Wednesday, November 6, 2019
Washington, D.C.

1 The deposition in the above matter was held in Room HVC-304,
2 Capitol Visitor Center, commencing at 9:12 a.m.

3 Present: Representatives Schiff and Quigley.

4 Also Present: Maloney, Norton, Connolly, Jordan, Meadows, and
5 Perry.

1

2 Appearances:

3

4

5 For the PERMANENT SELECT COMMITTEE ON INTELLIGENCE:

6

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[REDACTED]

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For the COMMITTEE ON OVERSIGHT AND REFORM:

[REDACTED]
[REDACTED]
[REDACTED]

For the COMMITTEE ON FOREIGN AFFAIRS:

[REDACTED]
[REDACTED]

For AMBASSADOR DAVID MACLAIN HALE

BRIAN GLASSER
CARY JOSHI
BAILEY GLASSER, LLP
1055 Thomas Jefferson Street, NW
Suite 540
Washington, DC 20007

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1 THE CHAIRMAN: Okay. The committee will come to order.

2 Good morning, Ambassador Hale, and welcome to the House Permanent
3 Select Committee on Intelligence, which along with the Foreign Affairs
4 and Oversight Committees is conducting this investigation as part of
5 the official impeachment inquiry of the House of Representatives.

6 Today's deposition is being conducted as part of the impeachment
7 inquiry.

8 In light of attempts by the Department of State and the
9 administration to direct you and others not to cooperate with the
10 inquiry, the committee had no choice but to compel your appearance
11 today.

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

15 Ambassador Hale is the Under Secretary of State for Political
16 Affairs, the most senior career official at the Department of State.
17 He has held this position since August 30, 2018, after being appointed
18 by President Trump.

19 Ambassador Hale joined the foreign service in 1984 and has served
20 with distinction in various positions throughout his long career in
21 public service. He has served across administrations and has been
22 appointed by Presidents of both parties, including but not limited to
23 Ambassador to Pakistan, Ambassador to Lebanon, and Ambassador to
24 Jordan.

25 Ambassador Hale, thank you for your service, and welcome.

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1 We look forward to your testimony today, including your knowledge
2 of and involvement in key policy discussions, meetings, and decisions
3 on Ukraine that relate directly to areas under investigation by the
4 committees. This includes developments related to the re-call of
5 Ambassador Yovanovitch; the President's July 25, 2019, call with
6 Ukrainian President Zelensky; as well as the documentary record that
7 has come to light about efforts before and after the call to get the
8 Ukrainians to announce publicly investigations into two areas
9 President Trump asked President Zelensky to pursue: the Bidens and
10 Burisma, and the conspiracy theory about Ukraine's purported
11 interference in the 2016 U.S. elections.

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

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

22 It is disturbing that the State Department in coordination with
23 the White House has sought to prohibit Department employees from
24 cooperating with the inquiry and with Congress and have tried to limit
25 what they can say. This is unacceptable.

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1 Thankfully, consummate public servants like you have
2 demonstrated remarkable courage in coming forward to testify and tell
3 the truth.

4 Before I turn to committee counsel to begin the interview, I
5 invite Ranking Member Nunes or, in his absence, any of the other
6 Republican members present to make any opening remarks.

7 MR. JORDAN: Mr. Chairman, thank you.

8 Ambassador, thank you for being here today. Thank you for your
9 long service to our country. We greatly appreciate that.

10 I would just add one thing, Mr. Chairman, for the record. I think
11 we've had some witnesses not appear this week and throughout
12 this -- throughout these depositions over the past several weeks. I
13 think we would have some of those individuals show up if, in fact, the
14 majority would reconsider their decision to not allow agency counsel
15 to represent folks from the State Department or other agencies in the
16 government to be here as counsel for them.

17 If we're truly focused on getting to the truth and developing a
18 full picture of the facts, I think we could have more witnesses and
19 get more information if, in fact, agency counsel would be permitted
20 to represent some of the folks who have been called by the majority.

21 With that, I would yield back.

22 THE CHAIRMAN: I thank the gentleman. I would just point out
23 that when the gentleman was part of the Benghazi investigations, those
24 interviews were -- depositions were conducted without agency counsel
25 present. It was a good practice for my colleague then, it remains the

1 better practice now.

2 MR. JORDAN. Mr. Chairman, if I could, just a quick response.
3 You've raised this several times.

4 The example I'll point to is Cheryl Mills, who was not even an
5 employee at the State Department at the time we deposed her in the
6 investigation you referenced, and she was permitted to have agency
7 counsel there as well as her own counsel. So she had more lawyers in
8 the room than just about anyone I could imagine.

9 All I'm saying is I think there would be more witnesses show up
10 for this investigation if, in fact, we are determined the to get to
11 the full picture, get the full picture and get to the truth, if the
12 chairman would permit agency counsel to represent some of the witnesses
13 that the majority has called.

14 THE CHAIRMAN: I'll just point out again, and then we should move
15 on to the witness interview, that was not a deposition. That was a
16 transcribed interview. We're not being -- we are not being -- we are
17 adopting -- we are using the same practice, Mr. Jordan, that you fully
18 supported at the time.

19 We'll go forward now. And with that, I'll recognize Mr. Goldman.

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1 [9:17 a.m.]

2 MR. GOLDMAN: This is a deposition of Ambassador David Hale
3 conducted by the House Permanent Select Committee on Intelligence
4 pursuant to the impeachment inquiry announced by the Speaker of the
5 House on September 24th, 2019.

6 Ambassador Hale, if you could please state your full name and
7 spell your last name for the record.

8 AMBASSADOR HALE: David Maclain Hale, H-A-L-E.

9 MR. GOLDMAN: Thank you. You can leave your microphone on
10 and -- well, as we begin and then so you can just talk and we won't
11 have to worry about it.

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

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

20 My name is Daniel Goldman. I'm the Director of Investigations
21 for the Intelligence Committee's majority staff, and I want to thank
22 you again for coming in today.

23 Let me do some brief introductions. To my right here is Nicolas
24 Mitchell. He's the senior investigative counsel for the Intelligence
25 Committee's majority staff, and Mr. Mitchell and I will be conducting

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1 most of the interview for the majority.

2 Now I'd like to allow my counterparts on the minority to introduce
3 themselves.

4 MR. CASTRO: Morning, sir. Steve Castor with the Oversight
5 Committee Republican staff.

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 MR. GOLDMAN: This deposition will be conducted entirely at the
11 unclassified level; however, the deposition is being conducted in HPSCI
12 secure spaces and in the presence of staff with appropriate security
13 clearances.

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

18 You are reminded that E013526 states that quote, "in no case shall
19 information be classified, continue to be maintained as classified,
20 or fail to be declassified" unquote, for the purpose of concealing any
21 violations of law or preventing embarrassment of any person or entity.

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

25 Today's deposition is not being taken in executive session, but

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1 because of the sensitive and confidential nature of some of the topics
2 and materials that will be discussed, access to the transcript of the
3 deposition will be limited to the three committees in attendance.

4 Under House deposition rules, no Member of Congress nor any staff
5 member can discuss the substance of the testimony that you provide
6 today.

7 You and your attorneys will have an opportunity to review the
8 transcript.

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

12 The deposition will proceed as follows: The majority will be
13 given 1 hour to ask questions and then the minority will be given
14 1 hour. Thereafter, we will alternate back and forth between majority
15 and minority in 45-minute rounds until questioning is complete.

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

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

20 You are permitted to have an attorney present during this
21 deposition, and I see that you have brought one. At this time, if
22 counsel -- sorry. I see you brought two.

23 At this time, if counsel could please state their appearances for
24 the record.

25 MR. GLASSER: Brian Glasser.

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1 MS. JOSHI: Cary Joshi.

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

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

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

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

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

25 Now, as this deposition is under oath, Ambassador Hale, would you

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1 please stand, raise your right hand to be sworn.

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

4 AMBASSADOR HALE: I do.

5 MR. GOLDMAN: Thank you.

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

7 You may be seated.

8 Ambassador Hale, if you have any opening statement or your
9 attorney has any matters to discuss, now is the time for either.

10 AMBASSADOR HALE: Well, good morning. As the chairman said, I
11 am and have been the Under Secretary of State for Political Affairs
12 since August 2018 and a foreign service officer for over 35 years with
13 a career primarily in the Middle East.

14 It has been my great honor to serve as an Ambassador for three
15 administrations, representing presidents of both parties.

16 I'm here in response to your subpoena and I'm ready for your
17 questions.

18 MR. GOLDMAN: Thank you. We will now begin the majority's first
19 hour of questioning.

20 EXAMINATION

21 BY MR. GOLDMAN:

22 Q Ambassador Hale, just following up a little bit on your
23 service and your background, you said that you were an Ambassador in
24 three different countries. Which countries were those and when were
25 those Ambassadorships?

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1 A I was Ambassador in Jordan from 2005 to 2008, Ambassador to
2 Lebanon from 2013 to 2015, and Ambassador to Pakistan from 2015 to 2018.

3 Q And as the under secretary that you are now, that's a -- that
4 is a confirmed position. Is that right?

5 A Correct.

6 Q And is it generally -- are you the -- am I correct in
7 understanding that you are the highest ranking career servant in the
8 State Department right now?

9 A There are actually four career Ambassadors. I am one of the
10 four, and I'm also the most senior in terms of the position that I hold
11 as Under Secretary of State.

12 Q Okay. Can you explain a little bit what -- the duties and
13 responsibilities of the Under Secretary of Political Affairs?

14 A The Under Secretary for Political Affairs covers the globe.
15 I'm responsible for the management of our bilateral relations with
16 every country in the world that we recognize, for the management of
17 our policies toward those countries, as well as our relations or
18 policies as they relate to multi-lateral organizations, the U.N. and
19 other such bodies.

20 I oversee all the regional bureaus and the International
21 Organizations Bureau and all of the embassies that report to those
22 bureaus.

23 I advise the Secretary of State as needed on all of those matters.

24 Q How frequently do you meet with the Secretary of State?

25 A It varies. If we're both in town, we could meet several

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1 times a week or we can meet several times a day. It really just depends
2 on the schedules and what's happening.

3 Q And how often -- how frequently are you in written
4 communication with the Secretary?

5 A We almost never exchange email. He has once or twice sent
6 me an email. I never respond. I go back through his staff. Or rarely
7 respond. I primarily go back through his staff or directly on the
8 phone.

9 Q As you know, our inquiry is focused on Ukraine, which is one
10 of many countries, obviously, that you oversee.

11 Just generally speaking, how much attention have you paid to the
12 State Department's engagement and policy towards Ukraine since
13 you assumed this position in August of 2018?

14 A Well, I obviously pay attention to all of our relationships.
15 I first focused on it really when Ambassador Yovanovitch came to see
16 me, as many Ambassadors do, to introduce herself in October
17 of -- October 5th of 2018. And she briefed me on Ukraine. She
18 encouraged me to come visit Ukraine before the presidential elections.
19 And so I did go in February. I planned a trip in December that got
20 postponed.

21 So it was in the context of my trip that really, as often is the
22 case, trips focus the attention of a visitor. And I learned a lot on
23 that trip in spending time with her.

24 Q When did you go to Ukraine?

25 A It was in February of 2019.

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1 Q Where did you go?

2 A To Kiev.

3 I'm sorry. It was March, if I may correct the record. March 5th
4 to 7th.

5 Q And what prompted your visit to Ukraine?

6 A Oh, the Ambassador had encouraged me to come. She felt it
7 was important to have a senior officer come to indicate our continued
8 presence and engagement with Ukrainian officials. It was also on the
9 eve of the election, so it was an opportunity for me to meet with
10 President Poroshenko and the two leading contenders against him for
11 office, which I did.

12 Q When you met with Ambassador Yovanovitch in October of 2018,
13 what did she say to you about the state of play in Ukraine at that time?

14 A I really don't remember the details of the conversation.
15 There was nothing unusual about the conversation. She talked about
16 the importance of our anti-corruption effort, the importance of
17 standing up to the Russians and helping the Ukrainians do that.

18 Q Did you have any discussion about any complaints that had
19 been made by any other Americans related to her role there and her job?

20 A I don't remember that it came up there.

21 Q When you were there in March, did you have a discussion with
22 Ambassador Yovanovitch about extending her stay there?

23 A Yes, I did. I remember that we had a conversation, as
24 the -- later in the program, after I had some time with her, I felt
25 that I could make an assessment that she was doing a very good job,

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1 and I asked her if she was -- because we had a gap coming, we didn't
2 have an Ambassador lined up and confirmed to be there when she was due
3 to leave in the summer, I asked her if she would consider staying longer.
4 She said she wanted to think about it.

5 She got back to me after the trip and indicated that she was
6 prepared to stay longer. So I turned it over to our head of the European
7 Bureau to work it and see if there would be agreement on that.

8 Q Did you know Ambassador Yovanovitch before you met with her
9 in October of 2018?

10 A No. We had never met.

11 Q Did you know her by reputation at all?

12 A Somewhat. I don't think I'd heard it until I took this
13 position. And I was asking people about various Ambassadors in areas
14 I was not familiar with, and I had heard positive things about her.

15 Q Did anything else stand out to you about your visit to Ukraine
16 in early March of this year?

17 A No. As I said, it was new terrain for me. I had been to
18 Ukraine only once before as a -- as a staffer for a Secretary of State
19 20 years earlier, so it was new terrain. I was just very interested
20 in the developments there.

21 Q When you offered Ambassador Yovanovitch the extension of her
22 appointment there, did you have any discussions with any more senior
23 members of the State Department about that, or was that within your
24 complete domain?

25 A It's not within my complete domain, but I don't remember

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1 discussing it. I may have. It was not something I could do on my own,
2 but I just don't remember those conversations.

3 Q And by early March of this year, were you aware of any
4 complaints that anyone had about Ambassador Yovanovitch?

5 A By what time period?

6 Q Early March, when you visited Ukraine.

7 A Yes. The Secretary of State had mentioned to me some time
8 in the fall that he had received a letter from a Member of Congress
9 with complaints saying that the Ambassador was saying derogatory things
10 about President Trump.

11 Q Can you describe that conversation in a little more detail?

12 A Only to say that the Secretary told me that his attitude to
13 her or his response to that was that he needed to see evidence. He
14 wasn't going to take these allegations seriously unless he saw evidence
15 behind them.

16 Q And was he aware of any evidence at that point?

17 A No. Not to my knowledge. He indicated he had not.

18 Q Prior to your trip to Ukraine in March, did you have any
19 further discussions with the Secretary about those allegations?

20 A I don't remember.

21 Q Now, did you know who the Congressman was who had made the
22 complaint?

23 A I did.

24 Q Who was that?

25 A Congressman Sessions.

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1 Q Did you do anything to look into those allegations?

2 A No.

3 Q Did you have any reason to believe that there was any validity
4 to them?

5 A No.

6 Q Now, shortly after you returned from Ukraine, did there come
7 a time when you read some news articles that included additional
8 allegations related to Ambassador Yovanovitch?

9 A Yeah. In late March, there were several articles, including
10 an article in The Hill, which came out, which were brought to my
11 attention in the context of discussion by email amongst various staff
12 as to what we should do as a Department in response to these press
13 articles.

14 Q Before we get to these press articles, there were a couple
15 questions that I wanted to ask you.

16 Were you aware of any efforts by Robert Livingston in connection
17 to Ukraine or Ambassador Yovanovitch?

18 A No.

19 Q Did you have any discussions with Ambassador Yovanovitch
20 when you were in Ukraine about Rudy Giuliani?

21 A I don't remember it coming up. I don't believe so, because
22 I don't remember it.

23 Q Okay. Or any associates of Rudy Giuliani?

24 A Same.

25 Q So when you received those emails about the articles at the

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1 end of March, what was the context that you received those emails?

2 A Well, there were a series of emails that came over a period
3 of time. I mean, it was from March 21st till about the 23rd, 24th,
4 primarily from the European Affairs Bureau indicating -- there was one
5 stream which was, what press statement, if any, should we issue in
6 response to these various allegations, another stream was, what should
7 we do to protect or otherwise defend Ambassador Yovanovitch, who was
8 the target of much of these various things that were in the public arena
9 about her conduct.

10 Q Let's take each of those two streams. As to the public
11 statement, what do you recall about that stream?

12 A There was a back-and-forth about what we should say. We did
13 put out a statement that said that one of the -- there was an allegation
14 that we had somehow -- the United States Government had presented a
15 "do not prosecute" list to the Ukrainian authorities, and we put out
16 a statement saying that that was an outright fabrication.

17 And then there was a separate stream about the so-called smear
18 campaign against the Ambassador. And there were various suggestions
19 there.

20 There was discussion of whether Mayor Giuliani was involved or
21 not. Initially, I found that a little bit hard to believe, it seemed
22 abnormal to me, but there was more and more information and allegations
23 that came out.

24 Finally, on March 24, it was a Saturday -- by the way, I was
25 traveling during this time period, I was in Beirut, so communications

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1 were difficult, given the time change and not having access to your
2 electronics at all times, but in any case, we landed at 3 or 4 o'clock
3 in the morning on a Sunday.

4 And that morning, Ambassador Yovanovitch had emailed me
5 indicating that the tempo of the social media and other criticisms of
6 her were such that she felt she could no longer function unless there
7 was a strong statement of defense of her from the State Department.

8 So I read that email at some point that day, and called her up
9 in the afternoon to hear firsthand from her just exactly what it was
10 that was going on.

11 Q What did she say to you?

12 A I don't remember anything differently than what was in the
13 email, to be honest with you. And I asked her to send me in writing
14 an account of what she thought was happening to her, because, again,
15 it was extremely confusing. It was just this mass amount of
16 information churning in the public arena. I asked her to send that
17 to me and indicated that I would review that on Monday and we would
18 see what we would do.

19 Q Did she send that email to you?

20 A She did.

21 Q What did that email say?

22 A The email basically talked -- didn't provide what I was
23 expecting, which was an account of what was happening, but rather an
24 informed series of speculations about the motivations of people who
25 may have been behind this campaign.

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1 Q Do you recall any more specifics?

2 A Well, there was stuff about how -- why the -- Lutsenko, the
3 Ukrainian Prosecutor General, would want to do these things for his
4 own political reasons.

5 And then there was a section speculating on what Mayor Giuliani
6 may or may not have been motivated, if he was indeed involved in this,
7 which there was, you know -- it was speculative, including, you know,
8 references to -- most of it was about his business relationships in
9 Ukraine, but there was also reference to the fact that the Mueller
10 report had just come out, and that it somehow may be related to that.

11 And there was a reference to trying to -- by raising the Biden
12 family connection to that company, that this was something that might
13 be derogatory of Vice President Biden and therefore something that
14 Mayor Giuliani might find appealing to do.

15 As I say, this all struck me as speculative, but I took it on board,
16 certainly.

17 Q Before we circle back to Mayor Giuliani, let's follow the
18 trail of the statement that you mentioned.

19 What, if anything, did you do next in regard to a full-throated
20 statement in defense of Ambassador Yovanovitch?

21 A At 7:15 on Monday morning, I attended a routine meeting we
22 have at that time every Monday with the Secretary of State, and I raised
23 it.

24 Q What did the Secretary of State say?

25 A I don't remember exactly what he said. There's -- it's a

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1 group meeting, the deputy secretary's there; the counselor, Ulrich
2 Brechbuhl, is there; Mike McKinley usually attends, and the Under
3 Secretary for Management or whoever is filling in in that role.

4 I do know that coming out of that meeting, I wrote an email to
5 her -- and I've reviewed this. I, frankly, did not remember these
6 details. I researched them, and I found the email that I sent to
7 Ambassador Yovanovitch immediately following that meeting saying that
8 I had briefed the Secretary; that she should get in touch with Phil
9 Reeker for more details, because I had briefed him as well; and that
10 the Secretary had asked Ulrich Brechbuhl, the counselor, to get in touch
11 with Americans who were apparently -- or thought to be involved in
12 passing this alleged information about the behavior of the Ambassador
13 into the social media arena or around into the White House or whatnot,
14 that they would talk to those individuals. And that a statement would
15 be on hold until such time as those conversations had been concluded.

16 Q When you say you reviewed these emails, you mean prior to
17 your testimony here today --

18 A Yes.

19 Q -- you went back and --

20 A Yeah.

21 Q -- reviewed these emails --

22 A That's right.

23 Q -- to prepare?

24 And who were the American individuals that Ulrich Brechbuhl was
25 tasked with reaching out to?

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1 A I really don't know.

2 Q Do you remember any names?

3 A No. I don't think I was given the names at the time.

4 Q Were you aware of any Americans who, individuals who were
5 promoting the narrative that was first included by John Solomon in The
6 Hill at the time?

7 A You know, I don't know what I knew at the time. I mean, now
8 I -- you know, you know the names. I don't know what I knew then, to
9 be honest with you, sir.

10 Q Do you recall there being a discussion of specific
11 individuals who were promoting this narrative at that meeting?

12 A I don't think so, but I don't know for sure.

13 Q Well, would you deduce that there was at least an awareness
14 that there were some prominent Americans who were promoting this
15 narrative?

16 A Yeah. Certainly Mayor Giuliani's name was obviously
17 prominent at that point.

18 Q Were you aware of whether Donald Trump, Jr., had tweeted
19 about these articles?

20 A I don't remember when I -- I mean, at some point I knew that
21 when it happened. I don't remember when it happened, but I'm sure -- I
22 can deduce that when it happened, I probably knew at that point.

23 Q Do you recall whether you understood whether -- that Sean
24 Hannity was promoting these narratives on his television show?

25 A Yes, I was aware of that.

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1 Q And did that come up at that meeting?

2 A I don't know if it came up at that meeting. It did come up
3 at some point with the secretary. I understood that he did call Sean
4 Hannity.

5 Q You understood the Secretary called Sean Hannity?

6 A Yes.

7 Q What did you understand that the Secretary said to Sean
8 Hannity?

9 A What the Secretary had consistently been saying, which is:
10 If there are these allegations, I need to see what the evidence is.

11 Q Within the State Department, as far as you knew, was there
12 any validity to any of these allegations about Ambassador Yovanovitch?

13 A Could you repeat the question?

14 Q Within State Department circles, in terms of your
15 conversations with anyone within the State Department or your
16 communications with anyone within the State Department, did anyone in
17 the State Department view these allegations against Ambassador
18 Yovanovitch to have any validity?

19 A No. No one that I met. The Secretary of State consistently
20 maintained that he could not credit these allegations in the absence
21 of credible evidence, and I never met anyone who felt that they had
22 received that credible evidence, including the Secretary of State.

23 Q Did you have any further discussions with Ambassador
24 Yovanovitch about a statement issued by the State Department?

25 A I don't remember doing that. I believe that at a staff

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1 level, at least a more junior level, the word got back to her eventually
2 that there would be no statement.

3 Q Do you recall recommending to anyone within the State
4 Department, including potentially Phil Reeker, that Ambassador
5 Yovanovitch deny the allegations and quote, "reaffirm her loyalty, as
6 the Ambassador and foreign service officer, to the President of the
7 United States and the Constitution?"

8 A Yeah. We were working on -- throughout this period, I was
9 advocating strongly for a State Department statement, a very robust
10 full-page statement of defense and praise, actually, for the
11 Ambassador's work. And the concept was that simultaneously, or in
12 coordination anyway, she would put out a statement. And they were
13 debating in her embassy whether she should do it on camera or a written
14 statement. I don't know exactly who initiated that idea.

15 I thought it was a good idea for her to demonstrate that
16 she -- there was -- because it had become so personal, that she needed
17 to remind people what foreign services are and who we were loyal to
18 and who we work for and that she was committed to that, and that that
19 would be backed up, of course, by the statement that she was also seeking
20 from the State Department.

21 Q Now, if you were a strong proponent of the statement and one
22 was ultimately not issued, who made the decision not to issue the
23 statement?

24 A I don't remember actually being told that. I must have been,
25 but given my position in the State Department, it could only have been

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1 someone more senior to me. The Secretary most likely would have been
2 the person.

3 Q And did you ever understand any rationale or reason why your
4 recommendation of a full statement in support of Ambassador Yovanovitch
5 was not acted upon?

6 A Well, the impression we had was that it would only fuel
7 further negative reaction. And our plan at that point was to try to
8 contain this and wait it out.

9 Q How would it fuel further negative reaction?

10 A That a statement of endorsement for the Ambassador might lead
11 these various individuals, whoever they were who were conveying
12 information that was derogatory about the Ambassador, to counter it,
13 and so it would just further fuel the story and there would be more
14 back and forth.

15 So I think the judgment was that it would be better for everyone,
16 including the Ambassador, to try to just move past this.

17 Q Do you recall any discussions related to the statement that
18 included the views of the President of the United States?

19 A Yeah. I mean, one point of view was that it might even
20 provoke a public reaction from the President himself about the
21 Ambassador.

22 Q And were you or -- were you aware at that time of the
23 President's views about the Ambassador?

24 A I don't know that I can say that affirmatively. I think
25 there was a general impression that there was a serious problem, yes,

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1 but I don't know that firsthand at all.

2 Q Well, who do you know that from?

3 A It was just in the -- it was in the atmosphere. I mean, I
4 don't -- I can't say who I learned that from.

5 Q Well, let's unpack this for a second.

6 If there was some concern that the President would issue a
7 statement or a comment in contradiction to the State Department's
8 defense of Ambassador Yovanovitch, presumably someone within the State
9 Department knew that that was a possibility, right?

10 A Yes.

11 Q And who do you think -- do you recall who that was?

12 A I don't.

13 Q If it was in the atmosphere within the State Department, what
14 was your understanding -- what was your understanding of the
15 President's views towards Ambassador Yovanovitch at that time?

16 A Well, the President actually did go public on March 24 and
17 said, "We need less of these jokers as Ambassadors."

18 Q I think that was the President's son, Donald Trump, Jr.

19 A I see.

20 Q The President around that time did re-tweet the -- one of
21 John Solomon's articles that was entitled, "As Russia Collusion Fades,
22 Ukrainian Plot to Help Clinton Emerges".

23 But I guess, just taking a step back, what was -- at that time,
24 as you recall, and based on your refreshing your recollection with your
25 emails, what did you understand the President's concerns about

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1 Ambassador Yovanovitch to be?

2 A I didn't know. I found the entire thing confusing.

3 Bear in mind, I have global responsibilities. I don't follow
4 social media. I'm not -- my office is a SCIF as well, so I'm not -- I
5 don't have electronics in my office, so I don't know exactly what's
6 happening on the social media unless someone alerts me. Our operations
7 center does alert us.

8 So it is not as though I'm constantly following these matters on
9 social media. It was just -- we knew we had a problem. We knew there
10 was a White House problem with Ambassador Yovanovitch. That was
11 definitely a factor. And that, I think, you know, was something that
12 was being evaluated by the Secretary of State.

13 I would also add that counselor, Ulrich Brechbuhl, was the point
14 person in dealing with this set of issues.

15 Q But just to clarify, there was concern, am I correct, that
16 if you did issue a statement, it would provoke a reaction either from
17 the President or other allies of the President?

18 A I think that was the reasoning behind not going forth with
19 the statement, was that there would be, as I said, a negative reaction
20 in the public arena, which was the very thing we were trying to bring
21 to an end.

22 Q And do you recall anyone enunciating or elaborating on that
23 concern?

24 A I can't pin it down to a specific conversation or individual.
25 I'm sorry.

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1 Q And you specified that Ulrich Brechbuhl was the point person.
2 What did that mean as it related to this matter?

3 A Well, the counselor plays a quasi chief of staff role.
4 There's no chief of staff at the State Department under Secretary
5 Pompeo, and that often involves dealing with sensitive issues that are
6 potentially, you know, related to personnel or sensitive issues that
7 touch on domestic politics or White House, as opposed to NSC-White House
8 matters.

9 Q And do you know following -- well, withdrawn.
10 Did you have any subsequent conversations on this issue with the
11 Secretary himself after that 7:15 Monday morning meeting?

12 A Which? The issue of the --

13 Q Of Ambassador Yovanovitch and -- well, the issue of the
14 statement, I should say.

15 A I don't know, to be honest with you.

16 MR. GOLDMAN: Okay. Go ahead, Mr. Chairman.

17 THE CHAIRMAN: I wanted to try to clarify things.

18 No one believed that there was any merit to these allegations
19 against the Ambassador. Is that right?

20 AMBASSADOR HALE: No one that I talked to at the State Department.
21 That's correct.

22 THE CHAIRMAN: The Ambassador wanted a statement of support from
23 the Secretary, did she not?

24 AMBASSADOR HALE: That's correct.

25 THE CHAIRMAN: You recommended it?

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1 AMBASSADOR HALE: That's correct.

2 THE CHAIRMAN: Secretary Reeker recommended it?

3 AMBASSADOR HALE: Correct.

4 THE CHAIRMAN: Mr. McKinley recommended it?

5 AMBASSADOR HALE: At that point, I don't remember Ambassador
6 McKinley being involved in this discussion, but he may have been.

7 THE CHAIRMAN: And there was a decision made not to issue the
8 statement, despite your recommendation and others. And given your
9 seniority at the Department, that decision to refuse the statement
10 could have only come from the Secretary. Is that right?

11 AMBASSADOR HALE: That's right.

12 THE CHAIRMAN: But you don't recall why the Secretary told you
13 he was turning down this unanimous request?

14 AMBASSADOR HALE: I don't remember him coming back to me
15 directly, which is not unusual when it comes to press statements. We
16 have a press -- whole press operation and a spokesperson, an assistant
17 secretary who would normally, once -- if I make a recommendation, which
18 in itself is unusual for me to be specific about doing something like
19 that, it will often come back in other channels through the press
20 spokesperson, it might have come back through Ulrich. He might have
21 sent it to me directly. I honestly don't remember.

22 THE CHAIRMAN: But it was unusual for you to make this kind of
23 recommendation?

24 AMBASSADOR HALE: Correct.

25 THE CHAIRMAN: And you think you might have gotten the answer,

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1 not from the Secretary, but through the Secretary's press person?

2 AMBASSADOR HALE: I just don't remember, Mr. Chairman.

3 THE CHAIRMAN: But you've conveyed also that the message that got
4 back to you was that this was in everybody's interest, including the
5 Ambassador?

6 AMBASSADOR HALE: [Nonverbal response.]

7 THE CHAIRMAN: But you acknowledge the Ambassador didn't think
8 that was in her best interest, right?

9 AMBASSADOR HALE: The Ambassador had said to me that -- in that
10 conversation and email exchanges that I mentioned over the weekend,
11 that the statement we put out saying that this was an outright
12 fabrication had helped stabilize the media environment in Kiev. But
13 the problem was back in the United States with the U.S. media
14 environment. So she was looking for a statement to help deal with that
15 problem.

16 And so it's not just the Ambassador's judgment, obviously, but
17 also a judgment of the people here as to what would be most effective
18 in dealing with that particular media event.

19 THE CHAIRMAN: Well, I understand that, but you testified just
20 a moment ago that the decision was made it was in everybody's best
21 interest, including the Ambassador's, not to issue the statement, but
22 that was not the Ambassador's view, was it? The Ambassador wanted a
23 statement from the top of the State Department, including the
24 Secretary, supporting her against these baseless allegations, did she
25 not?

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1 AMBASSADOR HALE: She did.

2 THE CHAIRMAN: Mr. Goldman.

3 BY MR. GOLDMAN:

4 Q Did you -- do you recall whether there was -- do you recall
5 any more specifics about what the Secretary or other senior officers
6 in the State Department were concerned about the White House reaction?
7 Do you remember any further specifics about the concerns about a
8 blowback to a statement?

9 A No.

10 Q Was the President, as you recall, specifically mentioned in
11 that meeting?

12 A The meeting on Monday morning?

13 Q Yes.

14 A I don't know. I have no record of that.

15 Q So once the statement was put on hold, I believe you
16 testified, what happened next with regard to this -- the State
17 Department's reaction to these smears against Ambassador Yovanovitch?

18 A Well, there were a series of emails about the smear campaign,
19 and basically we moved on. For whatever reason, we stopped working
20 on that -- at least I stopped working on that issue.

21 Q And you testified earlier that the Secretary called Sean
22 Hannity. Do you know whether anyone else from, whether it be the
23 Secretary or Ulrich Brechbuhl, reach out to any other individuals to
24 sort of tamp down these allegations?

25 A The last I heard really was that Monday morning meeting. I

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1 may have heard more information. I just don't have a record of it.
2 I have no recollection of it. I was not involved in doing it, so I
3 wasn't paying a great deal of attention to it.

4 Q Do you know whether anyone reached out to Rudy Giuliani?

5 A Again, in researching the materials available to me for this
6 deposition, I did ask to and saw the routine documents that our
7 operations center keeps about the calls that the Secretary of State
8 is making. So I don't believe I knew this at the time, but he did make
9 two calls to Mayor Giuliani, once on March 28 and again the next day
10 on March 29.

11 Q And that Monday, what date was that?

12 A March 25.

13 Q And just so the record is clear, you are looking at a document
14 to refresh your recollection. Can you --

15 A That's true.

16 Q -- describe what that document is?

17 A This is a document that my attorney worked on based on public
18 information, information released by this committee, and information
19 available to me based on my recollection or access to documents.

20 THE CHAIRMAN: Mr. Secretary, you've given us the dates of two
21 calls between Secretary Pompeo and Secretary Giuliani. Did those two
22 calls precede the decision that was made not to issue the statement
23 of support to Ambassador Yovanovitch?

24 AMBASSADOR HALE: I don't know, frankly. I can't pinpoint
25 chronologically when we were informed that there would be no statement.

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1 THE CHAIRMAN: You mentioned, though, these two calls in the
2 context of discussions about trying to find out what the basis was for
3 these attacks on the Ambassador. Does that indicate to you that that
4 likely preceded the decision on the statement?

5 AMBASSADOR HALE: I honestly don't know, sir.

6 THE CHAIRMAN: You mentioned that -- what the Secretary had
7 stated to Mr. Hannity. Did you find out from the Secretary or others
8 what Mr. Hannity's response was why he was pushing out this smear?

9 AMBASSADOR HALE: I believe that the Secretary's takeaway from
10 the conversation was that there was no evidence that was credible
11 about -- to support these allegations.

12 THE CHAIRMAN: Is that something Hannity acknowledged or is that
13 something that he deduced from the conversation with Hannity?

14 AMBASSADOR HALE: It's what I deduced, really, from
15 the -- hearing from the Secretary after the call that the Secretary
16 believed that there wasn't any evidence to back up these allegations.

17 THE CHAIRMAN: Mr. Goldman.

18 BY MR. GOLDMAN:

19 Q Do you know whether -- did you ever hear anything about the
20 Secretary's conversations with Mr. Giuliani?

21 A No.

22 Q But is it true that at the time that Secretary Pompeo was
23 focused to some degree on whether there was any evidence to support
24 these allegations?

25 A Who was focused?

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1 Q Secretary Pompeo.

2 A Throughout this period, the Secretary, whenever these issues
3 came up of the so-called smear campaign against Ambassador Yovanovitch,
4 said that he wasn't going to act upon them unless somebody could
5 demonstrate that there was credible evidence that backed them up. And
6 at no point, to my knowledge, was that evidence presented.

7 Q Do you know whether he asked Mayor Giuliani for any evidence
8 to back up the smear campaign?

9 A I don't know from firsthand knowledge, nor at the time. I
10 was not aware of these calls at the time.

11 I've seen reports since then about this, but that was all after
12 these -- I only learned from the news reports that came out of the
13 whistleblower and so forth.

14 Q You didn't understand from Secretary Pompeo that at the time,
15 whether you knew about these specific calls or not, but that he had
16 asked Mayor Giuliani for any evidence?

17 A I did not know that.

18 Q Did you come to learn about a submission that
19 ultimately -- of documents and information that ultimately made its
20 way to the Office of Inspector General in the spring of this year?

21 A I knew nothing about that until, again, the news reports came
22 out of this committee's activities about that.

23 Q And that's the State Inspector General, right, that --

24 A That's right.

25 Q Did you do any follow-up on any of those materials within

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1 the State Department to determine how they came in to the Department?

2 A Well, I didn't know about it.

3 Q No. Once you learned about it more recently, did you do
4 any -- make any inquiries about these documents?

5 A No. I mean, at that point, the investigation was already
6 underway, and it was clear that anything I might do or any of us might
7 do could look like we were trying to involve ourselves in trying to
8 influence, you know, witnesses or whatnot, so, no, I did not act at
9 all.

10 Q Did you learn whether these materials were given directly
11 to the Secretary himself?

12 A I did not, no.

13 Q Have you reviewed those materials?

14 A I have not.

15 Q Are you aware that it is information relate -- including some
16 of these articles as well as other information related to the same
17 topic?

18 A I only know what I've seen in the open media.

19 Q You said that Mayor Giuliani's role was -- around this time
20 in Ukraine matters, was, I think you said, quote "hard to believe?"
21 unquote. What did you mean by that?

22 A There was an email from George Kent that Phil Reeker
23 forwarded to me right at the beginning of this -- well, some time in
24 the late March period, and in it, Mr. Kent conveyed information from
25 two journalists, so Ukranian journalists that he had talked to who made

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1 a number of allegations, including that the President -- they were
2 quoting Giuliani saying to a Ukrainian that the President really wants
3 Ambassador Yovanovitch to go. And this seemed to be -- the implication
4 was that this was a roundabout way the President was trying to get rid
5 of the Ambassador through this smear campaign.

6 I found it at the beginning very -- I found it very hard to
7 understand why a President of the United States would do it that way
8 when he can just -- I mean, all Ambassadors are Presidential
9 appointees, they serve at the pleasure of the President, so it
10 didn't -- it didn't add up to me. I didn't understand why that would
11 be.

12 Plus you have to, again, appreciate my career. I've served in
13 environments of a great deal of corruption where information is
14 manipulated, and I'm not -- was not prepared to believe on face these
15 kinds of allegations. People make these charges all the time for
16 whatever motivations they may have.

17 So that's one of the reasons why I called Ambassador Yovanovitch,
18 was I wanted to get straight from her her best most -- you know, the
19 senior person on the ground, the assessment of what was happening, and
20 she gave that to me here, not really an assessment of what was happening,
21 but as I said earlier in this deposition, her speculation on the motives
22 of various individuals.

23 Q Did she indicate to you that she was aware that Mr. Giuliani
24 was in communication with Mr. Lutsenko?

25 A I don't remember that being stated clearly, but she was

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1 talking about two people in that email, Lutsenko and Mayor Giuliani.

2 Q What did she say about Mayor Giuliani?

3 A She was speculating that he might have motives to perpetuate
4 these allegations about the Ambassador.

5 Q What were those motives?

6 A As I mentioned, they seemed to focus on his business
7 practices, his business connections in Ukraine, but she also mentioned
8 the fact that the Mueller report had just come out, and she mentioned
9 that he might have an interest in reminding the public of the
10 investigation -- or the affair related to the company that
11 Vice-President Biden's son was on the board because that would be bad
12 news -- bad for the former Vice-President.

13 Q You were obviously aware at this time that Mayor Giuliani
14 was the personal attorney for the President, right?

15 A Well, it was in the news. I mean, I didn't know myself.

16 Q Right. I mean, you have no reason to think that when Mayor
17 Giuliani said that, that he was making a false statement?

18 A I've --

19 Q He said that he was.

20 A I found it very hard to believe.

21 Q Well, I'm just talking about the fact that he was the personal
22 attorney for the --

23 A I understand that, yeah.

24 Q You found it hard to believe that he was the personal attorney
25 for the President?

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1 A No. I found it hard to believe the journalists who were
2 stating what he allegedly was stating.

3 Q But you also had information from Ambassador Yovanovitch
4 that was not relying on those journalists, right?

5 A Right.

6 Q Did you find that hard to believe?

7 A I wouldn't say I found it hard to believe. I found the whole
8 thing puzzling, I suppose would be the best word to use. But she was
9 not making connections between Giuliani and the President, which is
10 what George -- the email that George Kent had conveyed, was conveying
11 information that Ukrainian journalists were saying that there -- that
12 Mayor Giuliani was asserting that these activities were on behalf of
13 the President. That was the piece that I found hard to credit
14 initially.

15 Q And you found it hard to credit because there were obviously
16 official channels that the President could go through to get to the
17 same objective?

18 A Correct.

19 Q But you did know at the time that Rudy Giuliani was the
20 President's personal attorney?

21 A It's been in the news, yes. I mean, I --

22 Q I understand you didn't have a conversation with
23 Mr. Giuliani or the President about it, but you -- that was very
24 public --

25 A Yes. It's well known.

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1 Q -- and undisputed, right?

2 A It's well known in our country, yes.

3 Q Okay. And you -- so as we move forward, let's focus a little
4 bit on the allegations in these press reports that were unrelated to
5 Ambassador Yovanovitch.

6 You're aware that there were -- you mentioned the "do not
7 prosecute" list and that she had said -- she had disparaged President
8 Trump, that that was included, but you also were aware of other
9 allegations that were in these articles too. Is that correct?

10 A I'd have to reread the articles.

11 Q Well, you just mentioned this Biden and company that Joe
12 Biden's son was a member of the board, right? Was that one?

13 A What's the question, sir?

14 Q You were aware that there were other allegations in these
15 news articles unrelated to Ambassador Yovanovitch?

16 A I suppose. I mean, I was looking at the articles.

17 Our focus was on the issue before the State Department, which was
18 the allegations directed at our Ambassador. And the focus of all of
19 our conversations was what was the best way to deal with that.

20 Q Well, did you receive, directly or through a forward, an
21 email from George Kent where he outlined the four narratives that were
22 included in these press reports and other allegations that flowed from
23 them?

24 A I don't remember the phrase "four narratives," but there were
25 certainly emails from the European Affairs Bureau speculating on what

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1 was happening.

2 Again, my focus was on the issue that we had to face, which was
3 what would be the best way to deal with it.

4 Q Right. And I guess what I'm trying to get at is putting aside
5 the Ambassador Yovanovitch aspect of this, do you recall there being
6 another aspect of these allegations unrelated to Ambassador
7 Yovanovitch that you had to deal with?

8 A My focus was on the issue of Ambassador Yovanovitch and the
9 issue of a statement. As I said, Counselor Brechbuhl was the point
10 person on dealing with this entire set of matters.

11 Q Okay. When Ambassador Yovanovitch mentioned to you that
12 after the Mueller report came out and there was a -- there were
13 allegations of -- related to a company that the Vice-President's son
14 served on the board of that might hurt the Vice-President -- former
15 Vice-President, what, if anything, did you do in connection to that
16 allegation?

17 A The allegation about the vice-president's son?

18 Q Yes.

19 A Nothing.

20 Q Nothing. Were you aware that there were allegations related
21 to Ukraine's involvement in 2016 election interference here in the
22 United States?

23 A Somewhat. Again, my focus really was pretty much on the
24 issue of our Ambassador and whether or not to put out a statement.

25 Q I'm really just trying to establish when you first heard of

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1 these allegations related to Biden, the Bidens, and the 2016 election.

2 A I honestly don't know, sir.

3 Q But you did indicate that at least in Ambassador
4 Yovanovitch's email to you on March 24th, that she included something
5 about the Bidens in that?

6 A Yes. Yes.

7 Q Okay. Now, you indicated that it died down a little bit
8 after this initial reaction and the initial specific statement
9 debunking the allegations.

10 Did there come a time a little bit later when issues surrounding
11 Ambassador Yovanovitch flared again?

12 A Yes. It was around -- well, it was -- on April 25, I
13 attended a meeting chaired by the Deputy Secretary of State with
14 Counselor Brechbuhl and the Director General of the Foreign Service,
15 Carol Perez, which is basically like the head of our human resources
16 division, to discuss what we learned of, I think probably a little bit
17 prior to that meeting, that the President had lost confidence in the
18 Ambassador. And the purpose of that meeting was to discuss how to end
19 her assignment there in a way that brought this matter to a conclusion.

20 Q How did the State Department learn that the President had
21 lost confidence in Ambassador Yovanovitch?

22 A I don't know. I don't remember exactly how I learned of it,
23 but I don't believe it would have come through any other channel but
24 the Secretary of State.

25 Q Why do you not -- why do you believe that?

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1 A Because it didn't come from below me, and so there are limited
2 options, and the Secretary of State and the Counselor were obviously
3 the people who were involved in this, I guess.

4 Q And do you recall hearing any reason why the President had
5 lost confidence in Ambassador Yovanovitch?

6 A We were not given a reason.

7 Q When you say "we," who do you mean?

8 A Myself, the deputy, the people in -- that I mentioned who
9 were in the meeting.

10 Q Who ran that meeting?

11 A The deputy secretary.

12 Q And did he indicate that he had any conversations with
13 Secretary Pompeo about this issue?

14 A I don't remember. My guess is he had, that's why he was
15 convoking the meeting.

16 Q So it's your understanding, based on common practice and
17 usual procedures within the State Department, that the -- that the
18 deputy secretary called this meeting because the Secretary had relayed
19 to him that the President had lost confidence in Ambassador
20 Yovanovitch?

21 A That's correct.

22 Q Now, this was almost a month after these articles had come
23 out. And you had indicated there was a flurry of activity in responding
24 to the articles at the end of March.

25 Do you recall having any communications about this issue in April

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1 leading up to this April 25th meeting?

2 A Yeah. There was an email from George Kent in that -- we
3 guess it was in that timeframe. I don't have it with me -- of the same
4 nature of what we were just describing. It may have been in late March,
5 it may have been in late April. I can't answer that question based
6 on --

7 Q You mean early April or --

8 A No. My records indicate that there was an exchange of emails
9 on press guidance and how to deal with it in late March. And
10 that -- remember I mentioned the March 21st to March 25th timeframe
11 when I finally heard from the Ambassador.

12 And then my notes reflect that there may have been, but it's
13 undated, another email from George Kent -- sorry -- that same week that
14 we heard about the President's position that was of the same nature.

15 And so what I'm saying is I don't know if what I was just describing
16 about these two Ukrainian journalists and so forth, whether that was
17 in late March or late April. I can't pin that down based on what I
18 brought to you today.

19 MR. GOLDMAN: Mr. Chairman.

20 THE CHAIRMAN: On the information by those two Ukrainian
21 journalists, and I don't know whether you're referring to that
22 information or the information that Ambassador Yovanovitch provided
23 in terms of what she thought the rationale for some of the smear campaign
24 might be, with respect to, I think it was in the journalists, if I
25 understood what you said earlier, you said you found it hard to credit

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1 initially.

2 Did you later find reason to credit either what was suggested in
3 those articles or what was suggested by the Ambassador?

4 AMBASSADOR HALE: Yeah. That's why I think that email was in
5 late March, because it was earlier in the period of time, but I can't
6 pin the date down based on the records that I had with me.

7 Well, it just became more and more obvious that this was an unusual
8 set of things that were happening and that the mayor was involved. And,
9 as I said, by the April 20 -- what was it -- the April 25th meeting,
10 it was self-evident that the Secretary -- that the President had lost
11 confidence in the Ambassador.

12 Now -- so I didn't -- I did say I initially couldn't credit that.
13 It just -- over time, it became much more confusing to me what was
14 happening, so I suspended -- in fact, if I can use the word, I was more
15 prepared to suspend my disbelief than I was when I was first was
16 confronted with this information.

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1 [10:11 a.m.]

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3 THE CHAIRMAN: And can you, you mentioned I think two occasions
4 in which the Secretary called Rudy Giuliani. Were those the only two
5 occasions, or were there more occasions that you found when you were
6 reviewing the call records that you were looking at?

7 AMBASSADOR HALE: Those were the two occasions that I found.

8 THE CHAIRMAN: And I think you said those were what dates again?

9 AMBASSADOR HALE: March 28 and March 29.

10 THE CHAIRMAN: In prior testimony, there was reference to your
11 special assistant sending an email to the European Bureau press office
12 that read: "P said no statement." That was March 25. Are you P?

13 AMBASSADOR HALE: Yes.

14 THE CHAIRMAN: Do you recall asking your special assistant to
15 send an email, or the circumstances around her sending an email or him
16 sending an email that read: "P says no statement"?

17 AMBASSADOR HALE: I don't remember that specifically, but it's
18 consistent with the note -- the email that I sent to Ambassador
19 Yovanovitch that same day saying that there would be no statements now.
20 But after these various contacts were made with Americans who were
21 involved in the social media effort against the Ambassador, we would
22 be back to look at whether or not there would be a statement.

23 THE CHAIRMAN: So on March 25 then: "P says no statement," that
24 was not necessarily indefinite, but at that point, the decision had
25 been made to make no statement.

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1 AMBASSADOR HALE: That's right. That day we were not going to
2 be issuing a statement.

3 THE CHAIRMAN: And then a few days later you have those two calls
4 between Secretary Pompeo and Mr. Giuliani, and after those calls, the
5 status remained the same. There would be no statement.

6 AMBASSADOR HALE: That's right.

7 THE CHAIRMAN: Mr. Goldman.

8 BY MR. GOLDMAN:

9 Q Do you know if anyone, either Secretary Pompeo or Counselor
10 Brechbuhl called Donald Trump Jr.?

11 A I don't know.

12 Q Did you have -- did you have any conversations with
13 Ambassador Gordon Sondland about this issue around this time?

14 A No.

15 Q Do you know whether he was involved in responding to these
16 allegations about Ambassador Yovanovitch in any way?

17 A No.

18 Q Were you aware at this time in late March early April whether
19 Ambassador Sondland had taken an interest or been involved at all with
20 Ukraine?

21 A I was aware that he had taken a trip to Ukraine in connection
22 with the E.U. My counterpart in the European Union External Affairs
23 Division accompanied him on a trip that drew attention to the Russian
24 occupation and reflected a jointness between us and the European Union.

25 Q So you viewed that as a trip in his official capacity as the

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1 Ambassador of the European Union?

2 A Correct.

3 Q Other than that, were you aware by April that Ambassador
4 Sondland had taken extra interest in Ukraine beyond that one trip?

5 A No, I was not aware.

6 Q Let's go back to this April 25th meeting. What do you
7 remember about that meeting?

8 A I remember that we discussed the fact that the President had
9 lost confidence in the Ambassador, and that the discussion focused on
10 how to implement that position that he had taken in a way that
11 caused -- that limited the controversy, and, you know, the damage that
12 that might do to the Ambassador's own reputation and to the State
13 Department and to the embassy in Kyiv so that we could all continue
14 to do our work.

15 So the decision was made to bring the Ambassador back to
16 Washington in order to have a consultation with her on how best to
17 achieve that.

18 Q By the end of April, were you aware of any additional evidence
19 to support the allegations against her?

20 A No.

21 Q In that meeting, was there any discussion of the validity
22 of these allegations?

23 A No. No one, to my knowledge, believed that they had seen
24 anything that would suggest that the Ambassador had done anything
25 wrong. So that was not the focus of the conversation.

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1 The focus of the conversation was that we were given a decision
2 by the President that he had lost confidence in the Ambassador and our
3 task was to implement that.

4 Q But as far as the State Department was concerned, Ambassador
5 Yovanovitch was doing a stellar job representing the United States
6 official policy in Ukraine, is that right?

7 A I felt she had been doing an exceptional job, yes.

8 Q And you were unaware of anyone either above you or below you
9 who disagreed with that assessment? Is that right?

10 A That's correct.

11 Q So what happened, after this meeting it was decided that
12 Ambassador Yovanovitch would be called back. Did you have any more
13 involvement in that process after this April 25 meeting?

14 A I left on a trip on April 26. I left for a long trip to Asia
15 and I was gone until May 6. I will stop there.

16 Q So you did not meet with Ambassador Yovanovitch when she
17 returned?

18 A No, I was out of town for the whole period she was back.

19 Q And do you know what ultimately was decided by the Department
20 in dealing with this issue related to Ambassador Yovanovitch?

21 A Yeah, I mean, in general, the Deputy Secretary met with her
22 and he had the conversation that I think all -- he discussed himself
23 during his confirmation hearing the other day, and the gist of the plan
24 was that she would go back to Kyiv and relatively quickly pack up her
25 personal effects, meet with her staff, and find a graceful way to leave.

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1 And we were going to issue a -- and did issue a statement that
2 was -- didn't refer to the issue of confidence and just said that she
3 was rotating out of Ukraine.

4 Q And that statement actually indicated that her return was
5 as planned. Was that accurate though?

6 A No, in fact, I was, again, traveling at that time, so I was
7 sort of at times behind the curve and the press guidance and whatnot,
8 and I have, again, in researching documents available to me for this
9 deposition, I reread an email exchange on that where my chief of staff
10 was reminding me that I had not cleared on this press statement.

11 So I looked at it, and I said, please delete the words "as
12 planned." It's too cute, and it's not exactly accurate. It went out
13 with those two words in it. I don't know why. My guess is that I was
14 too late. You know, press guidance has to go. Sometimes you just have
15 to get it out. And it just went forward without my input.

16 Q Did you ever learn what Ambassador Reeker and Ambassador
17 Yovanovitch had agreed upon in terms of the timing of her extension
18 in March?

19 A No, I don't believe that it was ever agreed upon in an
20 official way.

21 Q But you understood that this recall was not as planned
22 related to Ambassador Yovanovitch?

23 A Oh, absolutely.

24 THE CHAIRMAN: Secretary, we may get into this later, but I just
25 want to ask you now. It seems like an appropriate point.

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1 We don't have the advantage of the documents that you have been
2 referring to. To my knowledge, not a single document has been provided
3 by the State Department.

4 Have you been part of discussions about why those documents are
5 being withheld from Congress?

6 AMBASSADOR HALE: It's not in my area of responsibility. It's
7 handled by the Under Secretary for Management Affairs. I did, during
8 that period of time when this first developed, I heard from him on the
9 fly -- we didn't sit down and have a meeting, but I was sort of standing
10 in the hallway, what directions -- what our intentions were, what the
11 directions were from the White House on this matter.

12 THE CHAIRMAN: And what did he tell you?

13 AMBASSADOR HALE: I just want to emphasize, it was not as if I
14 was hearing the final outcome of this. I just was getting snippets
15 of it. We were and have put out directions. We've done the document
16 search. The documents have been gathered. And while we were doing
17 that, we got notice from the White House that we were not to share these
18 documents.

19 THE CHAIRMAN: Did they give you a reason?

20 AMBASSADOR HALE: They may have. I don't -- I didn't involve
21 myself in this. It's not my area. So I just -- I honestly can't answer
22 the question accurately.

23 THE CHAIRMAN: And when you had this conversation in passing,
24 what explanation was given to you then?

25 AMBASSADOR HALE: I really don't remember the specific

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1 explanation. It was just clear that the White House did not want
2 agencies to provide documents to the committee. I can try to get that
3 back to you. I'm sure it's in writing, frankly. I just -- I don't
4 have it.

5 THE CHAIRMAN: I'm interested in how it was explained to you.
6 Thank you, Mr. Goldman.

7 BY MR. GOLDMAN:

8 Q Let's just followup on that. You said that all of the
9 documents had, to your knowledge, been gathered and were prepared to
10 be provided to the committees. Is that right?

11 A They were in the process of being gathered and they have now
12 been gathered, yes.

13 Q Okay. So if the Department decided to provide them to the
14 committees, that could happen quite quickly. Is that your
15 understanding?

16 A Well, we have gathered the documents. I'm not -- I've never
17 really dealt with this matter before. And again, it is not my area
18 of responsibility so I have not been asking the questions about how
19 long it would take us to respond, but I'm sure it could be done, you
20 know, straightforwardly.

21 Q Were you aware of a letter written by the Secretary to the
22 committees on or about, I believe, October 1 related to this
23 investigation?

24 A Vaguely.

25 Q Where the Secretary accused the committee of bullying

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1 members of the Department?

2 A Yeah, I -- vaguely. I can't tell if I saw it internally or
3 if I just read about it in the media. It was not a document that would
4 have entailed my clearance in any ways.

5 Q Did you receive a memo to file written by George Kent related
6 to that letter and the State Department's response to the subpoena from
7 the committees?

8 A Mike McKinley forwarded to me an email from George. It was
9 a memo to the record in September in which -- I'm sorry, October 3rd,
10 George wrote for the record, a memo describing a meeting that he and
11 other officials of the European Affairs Bureau had had with a lawyer
12 from the legal adviser's office and a representative of the
13 congressional relations office in which George said that the lawyer
14 had behaved in an intimidating and unprofessional way. There was a
15 lot of detail in there.

16 I don't remember if the letter -- the Secretary of State's letter
17 was referenced there. It may well have been. My focus was really on
18 the issue of an officer who ultimately reported to me being intimidated,
19 by his account, from the Legal Affairs Office.

20 Mike forwarded this to me -- George had not sent it to me -- late
21 on a Friday, I believe. I discussed it with the Under Secretary for
22 Management Affairs and we kind of went back and forth. It was
23 inconclusive. The next morning on a Saturday I spoke to a number of
24 officers about this matter. I talked to the head of our European
25 Affairs Bureau, the acting head. I spoke to the Legal Affairs adviser.

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1 I spoke to the Under Secretary for Management again, and I spoke to
2 my chief of staff.

3 I directed that the legal adviser remove that lawyer from the file
4 of George Kent, and assign a different lawyer. My impression from the
5 conversation was that he may have already been moving in that direction,
6 but in any event, I wanted to make sure that that was the case and there
7 was no argument about it.

8 And we had a back and forth on the appropriateness of my going
9 to meet with George and these officers to make amends and introduce
10 them to the new lawyer. I decided I was going to do that on that
11 Saturday, so we came back to the office on Monday morning. By midday
12 Monday when I asked the status of the effort to get the meeting together,
13 I was told that because George had an attorney, a private attorney,
14 that the legal adviser had to deal with the attorney and not with George
15 directly. And so that was what was causing the delay.

16 And then I was told either late that Monday or the next day,
17 Tuesday, that the attorney on behalf of George had declined the offer
18 of a meeting with me.

19 Q Our time is up, so we will circle back to that. But just
20 before we do, one last question, if I could.

21 Did you get the sense from any career members of the State
22 Department that they felt bullied by the committee's requests for them
23 to testify?

24 A Bullied by the committee, no, I had not heard that, no.

25 Q All right. I yield to the minority.

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1 MR. JORDAN: Ambassador, you were for two statements, I think you
2 said earlier. You supported a statement from the Department in support
3 of Ambassador Yovanovitch, but then you also supported a statement from
4 the Ambassador, is that right?

5 AMBASSADOR HALE: Correct.

6 MR. JORDAN: And did you or did the Department convey that to the
7 Ambassador that she should put forward a statement as well?

8 AMBASSADOR HALE: There were email exchanges where I said I
9 thought it was a good idea. I don't remember whether or not I
10 specifically spoke to the Ambassador about it. I know that she was
11 prepared to do something.

12 MR. JORDAN: And why didn't she do something?

13 AMBASSADOR HALE: Well, because the -- it was clear that the
14 Department was not going to be issuing a statement. The concept was
15 these would be two parallel statements.

16 MR. JORDAN: Did she submit any type of draft or anything to you
17 or anyone else at the Department?

18 AMBASSADOR HALE: I never saw drafts, sir.

19 MR. JORDAN: Okay, great. Mr. Castor.

20 BY MR. CASTOR:

21 Q The email from George Kent that I believe was forwarded to
22 you about the interaction he had with the lawyer, did you ever get any
23 information about the lawyer's side of that account?

24 A No, I talked to the legal adviser, and he agreed that it
25 was -- we needed to assign a different lawyer to the case.

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1 Q Okay. So it was concluded that the lawyer may have acted
2 in a way that was --

3 A The legal adviser -- acting legal adviser, I should
4 say -- had ample opportunity to explain to me a different account. He
5 did not. I had no reason to disbelieve George. There were witnesses
6 there.

7 My interest was not in investigating the behavior of this lawyer.
8 The L was the designation for the legal adviser. They don't work for
9 me, but I wanted, very swiftly, to make sure that George did not feel
10 intimidated and, therefore, regardless of what actually happened, it
11 was important to put new people on it.

12 Q Okay. Did you ever have any communications with Ambassador
13 McKinley?

14 A I don't remember getting back to him. He had resigned at
15 this point.

16 Q Okay. What was his role?

17 A Mike McKinley's role?

18 Q Yeah.

19 A His title was Senior Adviser, I believe, to the Secretary
20 of State.

21 Q And what functions was he performing?

22 A Ad hoc advisory on matters that he and the Secretary wanted
23 to discuss. He did not have an operational role in the State
24 Department.

25 Q Okay. And do you know what matters he got involved with?

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1 A It would vary over the time, you know, depending on what is
2 on the Secretary's plate and what issues are in front of us. He would
3 often focus on those issues where he had had personal experience where
4 he had served as an Ambassador.

5 Q Okay. Did you ever have any communications with him about
6 Ambassador Yovanovitch during the dependency of this -- since the late
7 March time period through her recall?

8 A No, I have no recollection of Mike really being in the picture
9 in these meetings on these emails at all.

10 Q Okay. There were a couple instances where a
11 discussion -- or discussion about making a statement of support for
12 Ambassador Yovanovitch came to the floor?

13 A Yeah. If you are referring to Mike in that connection, that
14 came much later. That was after the -- after the release of the
15 transcript of -- the White House released the transcript of the phone
16 call with President Zelensky.

17 Q Okay. So there were two time periods where State
18 Department, senior State Department officials were discussing
19 potentially a statement of support of Ambassador Yovanovitch in the
20 March-April timeframe. Ultimately, a decision was made not to go
21 forward on that. And then, again, after they released the call
22 transcript?

23 A That's correct.

24 Q And what can you tell us about the discussion, communication
25 about the statement during that period?

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1 A On September 28, Ambassador McKinley sent an email to a
2 number of senior colleagues, including myself, and he proposed that
3 there should be a very strong statement of support for the Ambassador,
4 who, of course, had already left the post, and he also -- he was coming
5 in and out of my office that week, so I think that probably on at least
6 one occasion he may have suggested that directly to me. And so -- sir,
7 that's my answer.

8 Q Okay. And were you in favor of a statement at that point
9 in time?

10 A Well, in general, I thought that, you know, I understood what
11 Mike was doing, and I agreed with the content of the statement. I
12 didn't, based on my prior experience in the first episode, it just
13 seemed to me extremely unlikely that that statement was going to be
14 issued, but I had no concern about proposing it.

15 Q At this point, Ambassador Yovanovitch had returned to the
16 United States. She is at Georgetown at this time?

17 A That's right.

18 Q And so was the statement a public one that was being
19 discussed?

20 A Yes, I believe Mike's email suggested that there be a strong,
21 on-the-record public statement by the Department of State, maybe in
22 the Secretary's name -- I don't know that -- defending her.

23 Q And do you know if that related to her transition out of being
24 the Ambassador, or specifically to her mention in the President's call
25 transcript?

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1 A It was the transcript that I think prompted Mike to make that
2 proposal.

3 Q Was there ever any discussion of sending an internal email
4 to the State Department officials?

5 A Not that I remember, no.

6 Q Okay. So Ambassador McKinley's interest here was a public
7 statement?

8 A That's how I reacted to it at the time, yes.

9 Q Okay. And to the best of your recollection, Ambassador
10 McKinley was not involved during the March 25 to April 25 timeframe?

11 A That's right. To my knowledge, I mean, he sits right next
12 to the Secretary, so there are lots of things that I don't know about
13 that go on between them.

14 Q Okay. But to the best of your knowledge, he didn't advocate
15 for keeping Ambassador Yovanovitch during this time period when he
16 was --

17 A Right. He was not part of the conversation, to my
18 knowledge -- at least any conversation I was part of. Although, I
19 mentioned that 7:15 meeting after Ambassador Yovanovitch's email on
20 the 25 of March. That's a meeting Mike normally attends. He may not
21 have been there that morning, but he would -- he would routinely be
22 in that meeting where we discussed -- where I raised Ambassador
23 Yovanovitch's desire for a strong statement.

24 Q You were attending that meeting via SVTC?

25 A Oh, no, we'd go into the Secretary's office and sit down.

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1 Q Okay. So you were not traveling at that point? You had
2 returned home?

3 A I had come back. On March 24, I was traveling with the
4 Secretary of State in Lebanon. We landed about 3 o'clock in the
5 morning, and that day I got the email from Ambassador Yovanovitch, so
6 the next day, on a Monday, we had that 7:15 meeting.

7 Q Okay. And that was in the United States?

8 A That was -- we were already back, so that was in the United
9 States.

10 Q Okay. But you don't remember whether Ambassador McKinley
11 was in that meeting?

12 A No.

13 Q And you don't remember Ambassador McKinley ever raising the
14 issue with you directly about whether Ambassador Yovanovitch needed
15 additional support?

16 A No.

17 MR. JORDAN: Ambassador, was Ambassador Yovanovitch willing to
18 do a statement --

19 AMBASSADOR HALE: Yes.

20 MR. JORDAN: -- back in the March timeframe?

21 AMBASSADOR HALE: Yes, she had misgivings about whether to do it
22 on camera or a written statement. But in general, she was very much
23 prepared to do a statement.

24 BY MR. CASTOR:

25 Q Ultimately, the decision not to do a statement in the

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1 March-April timeframe was made because the assessment -- correct me
2 if I'm wrong -- the State Department officials thought it might make
3 things worse. Right?

4 A Correct.

5 Q So a public statement of support would be good for the
6 Ambassador on one hand, but on the other hand, it could end up being
7 very bad. Right?

8 A That was the -- precisely, I think the reasoning.

9 Q And the President can bring home an Ambassador at any time
10 for any reason or no reason. Right?

11 A That is correct.

12 Q This particular President has a -- sometimes he asks people
13 to leave their duties. Right?

14 A We've seen that, yes.

15 Q Okay. So he has had a number of different senior people at
16 various posts through government. Correct?

17 A Correct.

18 Q So the concept of a President, this President, deciding to
19 bring someone home or relieving somebody of their duties is certainly
20 not unusual. Correct?

21 A Correct. You know, I have been an Ambassador three times.
22 We all know that we serve at the pleasure of the President.

23 Q Was there ever any discussion with the counselor, or the
24 Secretary to maybe try to go to the White House and make a pitch to
25 alter the course of the President's views of Ambassador Yovanovitch,

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1 but before the decision was made to bring her home?

2 A I don't have specific data on that. The impression was that
3 the Secretary of State was doing what he could to, again, maintain the
4 point that while there are allegations without evidence, they could
5 not be credited.

6 Q In the April 25th meeting when you were discussing the best
7 way to have the Ambassador leave gracefully, what were some of the
8 options on the table to help her transition gracefully?

9 A Well, to do it quickly, so that this matter was just dealt
10 with and there was no further reason for public criticism of the
11 Ambassador, to explain that this was a normal rotation. It was not,
12 but to explain that it was, that she was due out that summer anyway,
13 and thank her for her service, and move on.

14 Q Was she afforded the opportunity to stay longer if she
15 thought it was in the best interest of the situation, or --

16 A At that point in time?

17 Q Yeah.

18 A In other words, what are we talking about, in April.

19 Q April 25th.

20 A At that point, again, I was on travel during that week when
21 she was back. I don't know what she was saying to being honest with
22 you.

23 Q Okay. Around this time period, too, it is right around
24 President Zelensky's election and inauguration?

25 A Yeah.

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1 Q Does it sometimes happen that the Ambassadors switch out when
2 a new President comes in?

3 A Yes. Your question prompts my memory. That was a factor
4 in the discussion about this that the fact that there was a transition
5 of leaders in Ukraine afforded an opportunity to have a fresh team
6 there.

7 Again, the reason we were -- she was being recalled was the lack
8 of confidence that the President had expressed in her.

9 Q Right. You mentioned at one point that before the -- before
10 she was relieved of her duties in Kyiv, it became apparent that the
11 President had a serious problem with her. Is that correct?

12 A Yes, I -- this was seemingly a problem over this whole period
13 of time, and we learned categorically that week that the President had
14 lost confidence in her.

15 Q Did any of the top State Department officials ever explain
16 to her that these things happen, and that if the President has these
17 serious concerns, it might be impossible to alter the outcome?

18 A I think that conversation was the one conducted by the Deputy
19 Secretary when she came back.

20 Q Did you get any feedback from the Deputy Secretary or these
21 key people involved with Ambassador Yovanovitch's views?

22 A I don't have any records of that, and I just know that she
23 went back and she did as had been directed.

24 Q Okay. Did the Deputy Secretary ever have any communication
25 with him about how she took the news?

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1 A I don't -- again, I was on travel, so I don't think anyone
2 specifically got back to me about that. I just have no recollection
3 of it.

4 Q Okay, not the Director General Perez (ph)?

5 A She may have. I think, again, my focus is on making sure
6 that what we were directing was happening and I have no doubt that I
7 learned that the Ambassador was going back to wrap up her affairs. I
8 cleared on the May 9 statement that we issued, as was mentioned in the
9 previous session.

10 Q How about with Phil Reeker? Did you have any communications
11 with him after she had been relieved of her duties about, you know,
12 helping her through this at this time?

13 A I don't have any records of that. We may have.

14 Q Okay. But you don't remember any?

15 A Nothing specific that jumps out of the ordinary.

16 Q Do you know if she was particularly upset by this?

17 A Yeah, she was -- I'm sure she was, but, again, I didn't talk
18 to her. We had no further communication, actually.

19 Q Okay. And that wasn't unusual given your post?

20 A That's right.

21 Q There's been some discussion of the role of Ambassador
22 Sondland and Ambassador Volker and how their involvement -- even
23 Secretary Perry -- how their involvement came to be and how it
24 interacted with the duties of Ambassador Taylor who was subsequently
25 installed as the Charge. When did you first become aware of the Volker,

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1 Sondland, Perry involvement?

2 A When the Presidential delegation to the inauguration was
3 announced on May 18, I believe the date was, the composition of the
4 delegation included Ambassador Sondland and Ambassador Volker.

5 Q And what was Ambassador Volker's role at that time?

6 A Ambassador Volker was a special envoy. I don't know the
7 exact title, but basically his responsibilities were to pursue the
8 Minsk process which is a diplomatic effort to engage the Russians and
9 some of the Europeans in order to effect the Russian departure from
10 Ukraine.

11 Q And how did his duties overlap with the Ambassador in
12 Ukraine?

13 A That's a good question. I don't really know. I only met
14 Kurt once in the fall. I asked to see him in order to prepare for my
15 trip. At that time I was thinking I was going in December. I never
16 really heard that there was any problem or issue, so I'm sure they just
17 worked it out amicably.

18 Q Have you known Ambassador Volker before that time period or
19 was that the first time you met him?

20 A First I met him. Knew him by reputation.

21 Q Okay. And what was that reputation?

22 A When he was a career officer, he was very talented one and
23 then he retired.

24 Q So you had no question to question his integrity?

25 A No. He had a very strong reputation and the fact that he

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1 was on this delegation gave me some confidence about, you know, how
2 they would operate.

3 Q And Sondland's involvement, the first time you became aware
4 of that was preparing for the inaugural?

5 A That's right. I mean, it came out in this announcement.
6 The State Department had, and I had cleared on a document -- we always
7 do, on these matters -- which was to propose an inauguration team, a
8 delegation.

9 We had wanted the Vice President to lead it. That was our idea.
10 For whatever reason, the Vice President couldn't do it, and this thing
11 came back, and Ambassador Sondland had been added to the delegation.

12 Q Okay. And did you ever develop any concerns about
13 Ambassador Sondland's role in these events?

14 A Well, again, it was a surprise that he was included because
15 his responsibilities don't cover the Ukraine. But it is often the case
16 where these delegations include a wide array of individuals that the
17 President knows or that he has admiration for, or believes are a good
18 fit for the Ukraine. Again, I don't know what the President's thinking
19 was on that, but that's how I assessed why Gordon was included on it.

20 And, again, when I saw that we had a professional who was steeped
21 in Ukrainian issues like Kurt Volker on the delegation, I had no
22 concerns.

23 Q Did you subsequently become involved with some of the
24 specific things Ambassador Sondland and Ambassador Volker were
25 involved in, such as trying to get a White House meeting?

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1 A I received a written readout of the June 23 meeting -- I'm
2 sorry, May 23 meeting that the President had. I believe the meeting
3 was on May 23. At any rate, on May 23, I received a readout of the
4 meeting the President had with the delegation members, and that note
5 to me outlined the policy guidance that the President had given to the
6 group.

7 Q What was that guidance?

8 A The note was classified, but I will summarize --

9 Q Please.

10 A -- it as best I can.

11 Q As best you can without revealing classified information.

12 A Yeah. That the President would send a letter of
13 congratulations to President Zelensky and would be inviting him to the
14 Oval Office, and that the delegation should push for reform and flag
15 the President's deep concerns about corruption in that country and its
16 poor investment climate, and the oligarchical control over the economy,
17 and that they should ensure that Zelensky was coming to the Oval Office,
18 prepared to commit to improving U.S.-Ukraine relations and addressing
19 these matters.

20 Q Okay. And the corruption environment, the poor investment
21 climate, and the other items you mentioned, was that consistent with
22 your view of Ukraine at the time?

23 A It was consistent with my view and with our policy, stated
24 policy, yes.

25 Q And Ukraine has been beset by corruption over the years, is

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1 that correct?

2 A Correct.

3 Q And a lot of the involvement of the oligarchs presents
4 problems with regard to corruption. Is that correct?

5 A Correct.

6 Q And some of these oligarchs, they have government positions
7 and then they go into the private sector, or at least, supposed to be
8 the private sector, and they use their connections, their former
9 connections in government to sometimes take money, take, you know,
10 licenses to, you know, do things. Is that correct?

11 A Correct.

12 Q There is one particular oligarch, Mykola Zlochevsky. Are
13 you familiar with him?

14 A I've seen the name, yeah.

15 Q And he was the Minister of Ecology. And do you know anything
16 about him or just what you've read?

17 A I don't know firsthand anything about him, and I've read
18 things. There's so many of these, I don't know the details, to be
19 honest.

20 Q Okay. But his involvement with a company called Burisma,
21 it didn't surprise or shock you that the company was, you know, involved
22 possibly with corruption, had been subject to a number of
23 investigations over the years?

24 A I wasn't focused on this. I was Ambassador to Pakistan at
25 that time, and I had a full plate there, so I really wasn't following

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1 what was happening in Ukraine until I was preparing for my trip to
2 Ukraine. And this matter was not the subject of the discussions.

3 Q Okay. But, generally, an oligarch in the country certainly
4 could be subject to charges of corruption. Right?

5 A Correct.

6 Q After the readout that you received from the May 23 meeting
7 in the Oval Office, did you come to learn that there was an interest
8 in involving Mr. Giuliani?

9 A No.

10 Q When did you subsequently become aware of his changed role?

11 A When these various revelations came out after the
12 whistleblower's activity.

13 Q Okay. So not until late September?

14 A Thereabouts, yes.

15 Q And your only awareness of Mr. Giuliani's role on a
16 diplomatic front, whether it was irregular or not, only came to your
17 attention via the public news stories?

18 A Correct.

19 Q Did you ever have any discussions with some of the State
20 Department players at this point?

21 A No.

22 Q Okay. And why was that?

23 A Because it was clear that these were matters that were going
24 to be under, or already were under investigation, and therefore I didn't
25 want to appear in any way to be influencing potential witnesses to this

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1 committee or other.

2 Q Okay. So back in the March-April timeframe, you are aware
3 that Mr. Giuliani was pushing a negative narrative about the Ambassador
4 and the climate in Ukraine. Right?

5 A I didn't know that, but I had seen, as I said, allegations
6 of that, and certainly speculation on the part of our Ambassador as
7 to what his motivations might be if he was involved.

8 Q And then you never learned that Mr. Giuliani's name was
9 mentioned in the May 23rd meeting in the Oval Office?

10 A That was not in the readout that was provided to me.

11 Q Okay. And never related to you until the public news
12 accounts emerged?

13 A Correct.

14 Q Just in your experience as a State Department official, how
15 common or uncommon is it that a President might lean on a private person
16 for public diplomacy?

17 A Well, it's not unprecedented.

18 Q Can you give any examples or --

19 A Well, throughout history, I mean -- I'm trying to think of
20 a recent example. It's hard to think of an example that quite matches
21 this particular one. But I do believe that it's safe to say that
22 Presidents have relied upon people who he trusts or -- he trusts
23 to -- for certain initiatives. But it's true, I can't think of someone.
24 It's not leaping in my mind right now.

25 Q To the extent the President had involved Mr. Giuliani, that's

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1 not necessarily in and of itself concerning?

2 A No. I will give you an example. I wasn't expecting the
3 question, so forgive my pauses. But we've had private citizens, former
4 government officials, who have been emissaries for the President to
5 North Korea, to Cuba. I remember President Carter, Representative
6 Richardson, others, who performed tasks like that.

7 Q Okay. And Mr. Giuliani as the former mayor of New York
8 during 9/11 had a relatively high public profile?

9 A Correct.

10 Q And so if the President had trust in him given his role in
11 U.S. history, that's not entirely surprising that the President might
12 lean on somebody of that stature for these issues?

13 A Not unprecedented.

14 Q At any point in time when the discussion of a White House
15 meeting was being worked on by Ambassadors Volker and Sondland, did
16 George Kent or Ambassador Reeker ever bring you into the loop of some
17 of the challenges that were going on?

18 A Well, I was not informed about the back and forth going on.
19 What I did know was that there was an invitation extended, as I
20 mentioned, to President Zelensky.

21 At some point, and I don't know why, the concept of the meeting
22 shifted from being in the Oval Office to being in Warsaw. I interpreted
23 that just being logistically simpler because they were all -- both going
24 to be in Warsaw for another event. Then when the hurricane hit the
25 Carolinas, the President indicated that he would not be traveling there

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1 and the Vice President would be going instead.

2 I may have learned some of this from the European Affairs Bureau,
3 I may have learned some of it from the Secretary. I just don't know.
4 I was not following this. I was not the operational lead on it, so
5 I was not particularly focused or concerned about it.

6 Q Did Ambassador Reeker or DAS Kent seek your leadership on
7 any of these issues to sort out concerns that Ambassador Taylor may
8 have been having?

9 A No, I did not hear about that. Again, my frame of mind was
10 that we had Volker -- it was clear that the President, from the readout
11 I had received, the President had tasked that group, members of that
12 delegation to pursue these objectives: the meeting, and the policy
13 goals that I outlined earlier.

14 So I was, you know, knowing I was aware that Ambassador Volker
15 and Ambassador Sondland would be doing that. So to my mind, it sort
16 of checked, that's being handled. There's a pro on the team. And the
17 nature of my job is such that a situation like that happens, unless
18 there are problems, people don't come back to me. Or if there's a new
19 development that is somehow complicating this, people don't come back
20 to me, and no one came back to me.

21 Q Okay. Ambassador Volker was the pro?

22 A Yeah.

23 Q Were you involved with installing Ambassador Taylor?

24 A I was aware that the decision had been made. Counselor
25 Brechbuhl was involved in that selection in finding a person that we

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1 needed. We knew we needed a senior leadership there during the interim
2 period. And but I was not -- and I was consulted. I'm sure I was asked
3 if I was okay with that, and I was. And I met Ambassador Taylor once
4 before he went out to Kyiv.

5 Q Did you know him from prior service?

6 A Yeah, we had -- when I was handling Middle East piece, he
7 was, I think, the coordinator for assistance in the Near East Bureau.
8 So we would occasionally attend staff meetings together. But I didn't
9 have a personal relationship with him in particular.

10 Q What was your experience with him? Was it positive?

11 A Yeah. He was a very well regarded person, well respected
12 in the Department.

13 Q The decision of installing him as the Charge, ultimately,
14 whose call was that?

15 A The Secretary of State.

16 Q But below the Secretary of State, is that your call or is
17 that --

18 A It's really, there's no system for doing this. It is an
19 unusual situation. So it would be basically a consensus. It would
20 go to the Secretary if everyone is on board with this. There is a body
21 called the D Committee that's chaired by the Deputy Secretary that makes
22 recommendations on Ambassadorial nominations. So, informally, for a
23 charge, although it is not an Ambassador, those same people would
24 normally be consulted.

25 And that's the Under Secretary for management, myself, the

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1 Director General of the Foreign Service, the Deputy Secretary, and
2 Consular Brechbuhl.

3 Q Did you ever become aware of Ambassador Taylor's trepidation
4 about taking the post?

5 A As I said, at the meeting we had, he did talk to me. I really
6 don't remember the contents of that meeting. I remember asking him
7 if he really wanted to take this on. It is a challenging thing. And
8 he said, yes, he did. I don't remember him expressing any reservations
9 about it. He seemed to be actually rather enthusiastic.

10 Q Okay. And it was a challenge because of the external and
11 environmental challenges?

12 A Well, also what our Ambassador had just been through.

13 Q That's what I mean. There were outside forces --

14 A Yes.

15 Q -- promoting a negative narrative?

16 A That's right.

17 Q But he was okay with that at that time?

18 A Yeah, he was enthusiastic about going. Again, I don't
19 remember, frankly, any of the details of the conversation,
20 but -- except that I did ask that question, and I sensed total
21 enthusiasm and a very positive attitude about going there. And we were
22 glad to have that. That's what we needed.

23 Q Do you know if he contemplated, you know, what he would do
24 if he became the subject of the negative narrative that Ambassador
25 Yovanovitch had had?

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1 A No, I don't remember that conversation. I don't think
2 anyone expected he would experience that again, but you never know,
3 I suppose.

4 Q Okay. And during this time period, did you or Counselor
5 Brechbuhl assure Ambassador Taylor that if the going got tough, the
6 State Department leadership would have his back?

7 A I did not, to my knowledge, have that conversation, but I
8 really don't -- the details of my discussion with him are not clear
9 to me.

10 Q Okay. And do you know if anyone else --

11 A I don't know.

12 Q -- at the Secretary level, or the counselor --

13 A I don't know. There was a meeting that he had with the
14 Secretary to get guidance. I did not attend that meeting. I don't
15 know why. It may have been a schedule conflict.

16 Q And once Ambassador Taylor was on the ground in Kyiv, did
17 you hear of any concerns that he had had?

18 A No, I heard from him only very rarely. So he met with the
19 Secretary on May 23rd. I met with him on June 7. He sent me an email
20 on July 2nd, basically reminding me that the Secretary of State
21 had -- there was a telegram that reminded people that there was a pending
22 invitation of Zelensky to Washington, D.C. -- and I'm just finding the
23 next time I heard from him.

24 On August 27, Ambassador Taylor emailed me with a -- in doing so,
25 he was forwarding a telegram, a State Department communication from

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1 an embassy, a classified cable, so I will be a little bit cryptic. But
2 in that cable, he said there was something in the cable about a foreign
3 official asking the question about the status of our policy toward
4 Ukraine, without providing any further context.

5 And Ambassador Taylor said that he wanted to remind me that he
6 had said that the Secretary -- not to me, but to the Secretary -- in
7 that earlier meeting, that if our policy changed, there would be no
8 use in having him stay in Kyiv.

9 And he cited three things in the note to me as to why he was raising
10 these concerns. One was what he had heard in the media about the
11 President pondering a possible expansion of the G7 to -- G8 status to
12 include Russia; the freeze on security assistance, which, by this time,
13 was well-known in our government; and the fact that the Zelensky meeting
14 did not occur because of the -- we thought because of the hurricane.

15 Q Was that the first time you heard concerns?

16 A That's the first time I heard of any concerns, yes.

17 Q So Deputy Assistant Secretary Kent never brought to your
18 attention any of Ambassador Taylor's concerns?

19 A No.

20 Q Ambassador Reeker the same?

21 A To my knowledge.

22 Q Are you aware of any other action Ambassador Taylor took to
23 try to get the attention of State Department leadership about his
24 concerns?

25 A I'd like to step back on this series of questions. I was

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1 well-aware of the problems related to the freeze on security
2 assistance. So during this period of time, my focus was on that. So
3 if that's what you're referring to, I did have backs and forths with
4 various Department people on this.

5 Q Okay. I will get there in a second. But, you know,
6 Ambassador Taylor has documented his concerns now. He came before the
7 committee. There was this public statement. Were you aware of his
8 concerns during the pendency of this time period?

9 A I was aware because of his email he sent me that he was
10 concerned. He cited these three things as evidence that there might
11 be a shift underway in our policy toward Ukraine.

12 Q Do you know if he pursued any other avenue to get the
13 attention of State Department leadership that he was concerned either
14 before or after this cable?

15 A He sent on August 29 a cable as well, also classified, which
16 I have reread now to prepare for this deposition, in which he laid out
17 in a very professional fashion all of the negative consequences of the
18 freeze of our assistance if the assistance did not go forward.

19 Q Okay. Between the Oval Office meeting on May 23, and
20 August 27, are you aware of any actions the Ambassador took to raise
21 concerns?

22 A No.

23 Q So the 8/27 communication was an email or cable that was
24 forwarded to you --

25 A That's right.

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1 Q -- was the first time it became front and center that
2 Ambassador Taylor had a big time issue?

3 A That's right.

4 Q What did you do with that concern? Did you try to engage
5 Assistant Secretary Reeker, the Acting Assistant Secretary, or DAS
6 Kent?

7 A Well, we had already engaged at the White House an
8 interagency meeting related to the security assistance.

9 Q Okay. So at that point in time, you thought Ambassador
10 Taylor's concern was related to the -- just to the security assistance?

11 A That was the most tangible piece.

12 Q Okay.

13 A And the one that I had direct responsibility to deal with.

14 Q Okay.

15 A We were already dealing with it. The other matters, the
16 White House, you know, meeting with the President, first of all, was
17 not in my power, but my understanding was circumstances were what was
18 making it -- delaying it. But there had not been a policy decision
19 that was contradictory to what I was briefed on on May 23 out of the
20 May 23 meeting.

21 Q Okay.

22 A And the G7-G8 thing, it struck me the President had said that.
23 No one at the State Department was working on a plan to expand G7, so
24 it was not an operationalized -- at that point anyway, an
25 operationalized thought. So that was my reaction to Ambassador

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1 Taylor's concerns.

2 Q Okay. Now, stepping back to the securities assistance hold
3 that first emerged on July 18, when did that first come on your radar?

4 A Again, having researched it to prepare for today, I first
5 started to hear that there was a problem with it on June 21; that OMB
6 had stopped the aid.

7 I learned from a member of my staff, I believe, and the aid package
8 to Lebanon was also being held in the same fashion. So, you know,
9 people started asking: What's the problem?

10 On July 23, in relation to Lebanon, our Assistant Secretary for
11 Near Eastern Affairs emailed me that he had a conversation with an
12 official in OSD, the Office of the Secretary Defense, about the Lebanon
13 assistance, in which that officer also raised the freeze on the Ukraine
14 assistance, and the two of them speculated, was this a new normal on
15 assistance.

16 The context, bearing in mind, is that the administration has been
17 embarked on a foreign assistance review in which we are trying to
18 reestablish the norms that guide the assistance that we provide
19 overseas.

20 And I was briefed that on July 23 there was a lower-level
21 interagency meeting in which OMB said that the Ukraine assistance was
22 suspended. And on July 26, I was called to a meeting of what we called
23 the Deputies Small Group on Ukraine. That's the deputies of all of
24 the foreign affairs agencies that have concerns, chaired by Deputy
25 National Security Adviser Kupperman.

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1 Q Were there any events between 7-26 and the cable from
2 Ambassador Taylor on this topic?

3 A No, I mean, what happened in the -- in the Small Group meeting
4 was that Mr. Kupperman asked each agency, starting with me, as the
5 State's senior cabinet agency what our view was on this matter, and
6 I advocated strongly for resuming the assistance, as did every other
7 agency represented there with the exception of one, which was the OMB.

8 Q And did you have confidence that the aid would be ultimately
9 released?

10 A Well, OMB said that the -- when asked why by someone, perhaps
11 Kupperman, they said that they had guidance from the President and from
12 Acting Chief of Staff Mulvaney to freeze the assistance.

13 So I went back to the office and sent a note to the Secretary
14 through his staff reporting this and saying that it seemed to me that
15 this was going to have to be resolved at the principals level and that
16 it was unlikely that OMB would be shifting their position at the
17 principals level given what we just heard. And, therefore, it would
18 have to be resolved, if he wished to have it resolved, directly with
19 the President. So I left it at that, and time passed.

20 Q Okay. Did you get any feedback from that communication?

21 A No, I never did. I mean, nothing that I remember, let me
22 put it that way.

23 Q Okay. You mentioned that there was a foreign assistance
24 review undergoing --

25 A Yes.

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1 Q -- at that time. What can you tell us about that?

2 A Well, it had been going on for quite a while, and the concept,
3 you know, the administration did not want to take a, sort of,
4 business-as-usual approach to foreign assistance, a feeling that once
5 a country has received a certain assistance package, it's a -- it's
6 something that continues forever. It's very difficult to end those
7 programs and to make sure that we have a very rigorous measure of why
8 we are providing the assistance.

9 We didn't go to zero base, but almost a zero-based concept that
10 each assistance program and each country that receives the program had
11 to be evaluated that they were actually worthy beneficiaries of our
12 assistance; that the program made sense; that we have embarked on, you
13 know, calling everything that we do around the world countering violent
14 extremism, but, rather, that's actually focused on tangible and proven
15 means to deal with extremist problems; that we avoid nation-building
16 strategies; and that we not provide assistance to countries that are
17 lost to us in terms of policy, to our adversaries.

18 Q And do you know if the President also had concerns about
19 whether the allies of Ukraine, in this example, were contributing their
20 fair share?

21 A That's another factor in the foreign affairs review is
22 appropriate burden sharing. But it was not, in the deputies committee
23 meeting, OMB did not really explain why they were taking the position
24 other than they had been directed to do so.

25 Q Okay. You are aware of the President's skeptical views on

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1 foreign assistance? Right?

2 A Absolutely.

3 Q And that's a genuinely held belief, correct?

4 A It is what guided the foreign affairs review.

5 Q Okay. It's not just related to Ukraine?

6 A Absolutely not. It's global in nature.

7 Q Did you ever come to learn in, you know, during the course
8 of these meetings on 7-23 and 7-26 and some of the earlier meetings,
9 that there was a concern about the corruption environment in Ukraine
10 and that might be related to the hold?

11 A We knew that the President was a skeptic about the issue of
12 corruption.

13 Q Did you know what was the source of his deep-rooted views
14 about the corruption environment in the Ukraine?

15 A I couldn't comment on that.

16 Q Did anyone brief you?

17 A Again, on the note that I mentioned that was the readout of
18 the May 23 letter, the comment was attached to it. This is an
19 observation that the President did express skepticism, that he was
20 skeptical about our ability to succeed in all of these, but that he
21 endorsed the approach.

22 Q Okay. Are there any other key events during that time period
23 related to the foreign assistance holds that you haven't touched on
24 yet?

25 A No, I mean, there have been various backs and forths about

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1 it leading up to the meeting of July 26, and I have not received or
2 have available to me anything on it until the August 27 email from
3 Taylor, and the August 29 cable. And then, of course, the aid was
4 released sometime in early September, I believe.

5 Q Right. During the period of July 26, and you said shortly
6 thereafter you brought this to the attention of the Secretary?

7 A Yeah. Immediately following the meeting I sent him a note.

8 Q Okay. Between that time period and September 11 when the
9 aid was ultimately released, did you have any feedback from your staff,
10 whether it be Ambassador Reeker, Deputy Assistant Secretary Kent, about
11 some of the drama going on here?

12 A You mean the exchanges amongst Sondland, that we have heard
13 about? Yeah.

14 Q Well, there was a real concern on behalf of Ambassador
15 Taylor, DAS Kent that while the aid was held, it was contributing to,
16 you know, a negative impact on U.S.-Ukrainian relations?

17 A No, that was not the case. I was not so informed other than
18 the cable, or the email from Taylor was the first time.

19 Q But on the flip side, the public reveal that the aid was held
20 didn't come until late August. Are you aware of that?

21 A I wasn't tracking that in particular. I didn't understand
22 that the information had been communicated to the Ukrainians. That
23 was not the focus of the deputies committee meeting. In the normal
24 state of things, it would not be communicated until -- a freeze would
25 not be communicated to a foreign government, only a decision. It then

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1 has to be notified to Congress. It could be at that point. Things
2 leak out, of course. And bear in mind, this is future assistance.
3 That is not to keep the army going now. It is to help them in the future.

4 Q So did you become aware of when it was made public?

5 A I wasn't tracking that, to be honest.

6 Q There was an article, I think, on August 28 that revealed
7 this was held. Is that consistent with your understanding?

8 A I don't remember it going public. I certainly knew about
9 it. So it probably didn't surprise me. I didn't register it, but I
10 don't remember that.

11 Q Were you aware around the same time Ambassador Bolton had
12 traveled to Ukraine?

13 A Yes.

14 Q Did you get any readouts of his meeting on the ground?

15 A I may have. I don't really remember anything unusual about
16 it.

17 Q Okay. Right around the time of Ambassador Bolton's visit,
18 the Rada convened and President Zelensky was trying to push through
19 some of his opening legislative vehicles.

20 Did that ever come to your attention?

21 A Well, in general, I'm sure I was tracking Zelensky's, you
22 know, activities. The general impression was that he was doing the
23 things that we wanted to see done.

24 Bear in mind, I had met him back during my visit in March. I was
25 impressed by him. I felt, obviously, it was an hour-long meeting. You

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1 can only draw so many conclusions.

2 We, obviously, had to test them. But I felt that this was
3 somebody we were going to be able to work with. And he certainly said
4 all of the right things. No surprise there.

5 We want to look at his actions. Right? And the actions he was
6 taking subsequent to his inauguration seemed to be the right ones.

7 Q And so at the time, you thought President Zelensky was a
8 genuinely -- a genuine reformer?

9 A I think it would be premature to say that.

10 Q That would be the hope?

11 A Yeah, that we had an opportunity here that we needed to take
12 advantage of.

13 Q That he was in it for the right reasons?

14 A Yes. That he was saying the right things, and that our
15 approach could make sure that he really pushed for the reforms we
16 wanted. That was the case we were trying to test.

17 Q And to your knowledge, you had no evidence that he was
18 somebody in it for himself?

19 A Well, there's always questions about Ukrainian, you know,
20 public officials. I mean, and those exist. I don't think anyone could
21 say categorically anything on that score. We were looking at actions;
22 what steps would he take to pursue the anticorruption and reform agenda
23 that was so important to both of our countries.

24

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1 [11:11 a.m.]

2 BY MR. CASTOR:

3 Q And were you aware that when he did finally get control of
4 the process and the Rada was seated, that he did, in fact, push through
5 a number of reform initiatives?

6 A I hesitate to talk in detail. I didn't bone up on that prior
7 to today. I'm not sure. But the general impression was that he was
8 moving in the right direction.

9 Q And the feedback from Ambassador Bolton's visit, do you
10 remember if that was positive?

11 A I don't really have any recollection that there was anything
12 notable out of that.

13 Q And then, subsequent to that visit, it was over the Labor
14 Day time period, I believe that's when the Secretary was able to engage
15 the President on the security assistance question?

16 A Perhaps, yeah.

17 Q And did you ever get any feedback of how that went from the
18 Secretary?

19 A If I did, I don't really remember it, to be honest with you.

20 Q And then the aid September 11 was -- the hold was lifted?

21 A That's right.

22 Q And how did you learn about that fact?

23 A I think from the public, or maybe someone told me. Let me
24 just look at my chronology here. I don't have any document that shows
25 someone telling me that. I think we just learned it when it happened.

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1 Q Did you receive any feedback about how that occurred?

2 A No.

3 Q So the Secretary never followed back up with you and related
4 to you how this occurred?

5 A I don't remember him doing that.

6 Q Okay. Did it surprise you that, ultimately, the aid was
7 released?

8 A I was relieved that it was released.

9 Q During that time period where it was on hold, do you know
10 if the State Department had taken any action to deal with the
11 possibility that the aid would not be released, whether it be through
12 reprogramming or other avenue?

13 A In what timeframe?

14 Q During the time period that it was on hold; but mostly the
15 7/26 to 9/11 time period.

16 A I received some emails on the assistance freeze on the 25th
17 of July. I believe it was just confirming that the freeze existed.
18 I don't remember discussion about going so far as reprogramming.
19 Obviously, that was the implication.

20 All of this was really leading up to what ended up being a deputies
21 meeting on July 26, where we did discuss -- I mean, I pointed out in
22 that meeting that there was a soft earmark on the money and so, whatever
23 happened, we would have to be spending that money in Ukraine, and OMB
24 acknowledged that.

25 And then I advised -- not that I'm an expert on it, but I advised

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1 that it was most likely, given the bipartisan support in Congress for
2 this assistance, that if we actually suspended the aid for the military,
3 we would face a hard earmark in the following year; and that was
4 acknowledged as a possibility as well.

5 Q The posture of providing javelins to the Ukrainians, what
6 do you know about that decision?

7 A Nothing actually.

8 Q Do you know that at one point, the U.S. Government had a
9 position not to provide lethal defensive assistance to the Ukrainians?

10 A I'm not expert in this. Our Political and Military Affairs
11 Bureau normally handles all these things. I don't get involved. I
12 didn't research the history. Our focus at that meeting was on the
13 freeze.

14 Q Okay. When the cable came in from Ambassador Taylor, was
15 there any renewed focus at your level to zero in on the irregular
16 channel, as he described it, of diplomacy?

17 A No. I was unaware of anything other than what I've already
18 described this morning. And he did not reference that in the August 27
19 email or the August 29 cable.

20 As I said, it focused on the inability to get a Zelensky visit
21 with the President, the freeze on the security assistance, and this
22 idea of expanding the G7.

23 Q Right. Ambassador Taylor's statement walks through what he
24 characterizes as this irregular channel. What is your view on how he
25 characterized that channel?

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1 A What I knew was that goes back to the meeting that the
2 President had on May 23rd, I think, in which it was clear that the
3 members of that inaugural delegation were empowered to pursue the
4 policy themes that I mentioned earlier. And, as a practical matter,
5 I concluded from looking at the names that, de facto Secretary Perry
6 was unlikely to be able to spend his full-time on this matter. The
7 Member of Congress, Senator Johnson, was unlikely to pursue this in
8 a constant way.

9 And so, as a practical matter, it would be Ambassador Volker and
10 Ambassador Sondland, presumably working with Ambassador Taylor, who
11 would be the ones really doing the continual effort here. That was
12 a supposition on my part; that's based on the information I had.

13 Q When he testified, and with his statement, you know, he
14 really went through what he viewed as this irregular channel. As you
15 look at this issue, did you have any issue with the irregular channel?

16 A I didn't have an issue with what I heard, based on the readout
17 from the President's meeting and guidance on May 23rd. I had no
18 problem with that. It was the President's decision, first of all.
19 Second, we had pros doing it. And the policy goals were totally in
20 line with our policy objectives.

21 Q When he testified here, did you get a chance to read his
22 statement?

23 A I read it at the time yeah.

24 Q And did his statement bring anything to your attention that
25 you wish you had learned of earlier?

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1 A Yes. I didn't know of these interactions. I didn't know
2 of Mayor Giuliani's involvement. I didn't know about these conditions
3 that had been discussed.

4 Q Okay. And were you disappointed that that wasn't brought
5 to your attention? Or were you glad that this was being handled at
6 Ambassador Taylor's level or DAS Kent's level?

7 A I was surprised to learn that this was happening, and I was
8 surprised that I was not involved or informed.

9 Q Okay. And why don't you think Ambassador Taylor brought any
10 of this to your attention prior to August 27th?

11 A I don't know.

12 Q Have you had any communications with Ambassador Reeker about
13 what was going on, now that you know about it?

14 A Well, again, once the stuff started to come out, I think -- I
15 mean, I'm speaking for myself. I felt that the discussions of these
16 matters would be a problem, perception problem, because we might be
17 accused later of trying to influence witnesses, so I steered away from
18 discussions of these particular matters, and maybe others were doing
19 that as well.

20 MR. CASTOR: There's about 10 minutes left. I want to make sure
21 if any of other members have questions that they get an opportunity.

22 MR. MEADOWS: Ambassador Hale, Mark Meadows, from North
23 Carolina. I want to thank you for your service. And you know,
24 everybody will read this transcript later and so, for the record, I
25 want to just say thank you for just calling balls and strikes and trying

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1 to do your best to just help the American people understand the truth
2 on all of this. And that's maybe not picked up in the nonverbals or
3 the interaction that we actually have here in this particular
4 deposition room.

5 I want to circle back, because it has long been my understanding
6 that aid to foreign countries has been a concern of this President;
7 specifically, of this administration, and so, at what point were you
8 asked to embark on a review of foreign aid broadly, in terms of that
9 reset that you were talking about earlier?

10 AMBASSADOR HALE: The President announced it at his speech at the
11 opening of the U.N. General Assembly in September of 2018. I had
12 attended a meeting earlier that year -- I really couldn't pin down what
13 it was. I didn't research this topic for today -- a large interagency
14 meeting, where I represented the State Department and, basically, we
15 were being briefed on the new direction, and we were being asked to
16 offer reactions to it.

17 Based on my experience in countries with large assistance
18 programs, Pakistan, Jordan, and Lebanon, I warmly welcomed the foreign
19 assistance review. I thought it was long overdue that we needed to
20 take that kind of approach, and pledged strong State Department
21 support.

22 I ask that we always bear in mind, though, the need for
23 case-by-case study of this, and not just impose it; look at the
24 circumstances of each country; study carefully what the pros and cons
25 are of what we are trying to accomplish.

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1 After I did that, it was then decided -- and after the announcement
2 by the President, it was decided that our policy planning office and
3 our foreign assistance office would take the lead on this matter.

4 So my role was minimized -- not minimized but I was no longer
5 representing the State Department and things were being cleared by my
6 office.

7 MR. MEADOWS: But as a career, a distinguished career foreign
8 service official, you embraced this, and felt like that it was a prudent
9 thing for the United States Government, on behalf of the American
10 taxpayer, to embark on, to make sure that every dollar that goes out
11 has a strategic or, at worst case, tactical advantage for the United
12 States. Is that correct?

13 AMBASSADOR HALE: Absolutely correct, sir, and long overdue.

14 MR. MEADOWS: And long overdue. And so would it surprise you at
15 all to learn that Ambassador Volker, in 2017, expressed real concerns
16 about the corruption within the Ukraine? Would that surprise you at
17 all.

18 AMBASSADOR HALE: No.

19 MR. MEADOWS: Would it surprise you at all that the President of
20 the United States, in 2017, shared that view, that Ukraine was corrupt?

21 AMBASSADOR HALE: It wouldn't surprise me. I was in Pakistan
22 then so I wasn't tracking it, but yes.

23 MR. MEADOWS: So as you start to look at your new role, and looking
24 at this from a 30,000 foot level in terms of trying to make sure that
25 the foreign assistance that we provide is properly and efficiently

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1 deployed, part of that review, obviously, will -- well, when will the
2 review be completed?

3 MR. HALE: I don't know. I asked that question just the other
4 day, and I was told that it's still pending. I don't know why.

5 MR. MEADOWS: And so if it's still pending, at this particular
6 point, reviewing that, because we have had other testimony in here that
7 would indicate, oh, well, we always review before foreign assistance
8 goes out about corruption and about some of the other concerns. I
9 characterize that more as a check-the-box kind of review.

10 Would you indicate that the -- or would your testimony be that
11 this foreign assistance review that you embarked on in 2018 would be
12 more comprehensive than perhaps the normal review that's associated
13 with foreign aid, currently?

14 AMBASSADOR HALE: Well, what we are expecting, what is pending
15 is the broad policy guidance and guidelines that have been developed
16 by the various players. And my hope is -- and I'm waiting for that
17 guidance -- is that we will then apply that on a case-by-case basis
18 to different countries.

19 In the meantime, we are trying to -- we understand the intent of
20 the President, and so we are doing our utmost to try to meet the intent
21 of the President; even in the absence of a finalized review.

22 MR. MEADOWS: Thank you, Ambassador.

23 MR. JORDAN: Ambassador, you mentioned earlier, that at the time,
24 on June 21, you learned that the hold was placed on Ukraine. There
25 was also a hold placed on Lebanon; is that right?

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1 AMBASSADOR HALE: Correct.

2 MR. JORDAN: Any other countries over the last several months,
3 or in the calendar year where there has been a hold on assistance?

4 AMBASSADOR HALE: The northern triangle countries of South
5 America.

6 MR. JORDAN: Honduras?

7 AMBASSADOR HALE: Yeah. Pakistan, this goes back to my tenure.
8 The President suspended the vast majority of our military assistance
9 to Pakistan because of their failure to conform to our concerns about
10 terrorism activity and the proxies that were operating in the border
11 area of Afghanistan.

12 I'm just trying to go across the globe and try to remember what
13 else.

14 MR. JORDAN: Several.

15 AMBASSADOR HALE: Several.

16 MR. JORDAN: Several. Thank you.

17 BY MR. CASTOR:

18 Q Just one last question before our time expires here in this
19 round. When did you first hear of specific investigations being
20 mentioned, such as those relating to specific companies like Burisma,
21 the Bidens, 2016 election?

22 A Investigations. I suppose the email from Ambassador
23 Yovanovitch that I mentioned was speculative, where she was speculating
24 on the motives of various actors who might or might not be behind the
25 smear campaign; Lutsenko and Giuliani were the ones she spoke of

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1 specifically. And she mentioned that the timing of the Mueller report
2 might be a factor.

3 She mentioned that Mayor Giuliani might have been motivated to
4 sully Vice President Biden's reputation by reminding the world of the
5 issue regarding his son's activities in Ukraine. Those were the two
6 things that were mentioned at that stage.

7 Q But during the pendency of the security assistance hold, from
8 July 18 through the date you got the cable from Ambassador Taylor, did
9 you hear the names Biden, Burisma?

10 A No. No, not in government channels. If it appeared in the
11 media, it was in the New York Times -- I won't say I don't read the
12 New York Times or whatever. But, yeah, it was not something that was
13 apparent to me.

14 Q So at no point during that time did the official chain of
15 command, from the field, articulate these concerns to you?

16 A No. No.

17 Q And, in fact, you didn't even hear the name Biden, Burisma?

18 A No. No. When the whistleblower reports and all that came
19 out of that, that's when I first saw this.

20 MR. CASTOR: Okay. My time has expired. Thank you.

21 THE CHAIRMAN: Okay. I would suggest we take an early lunch
22 break. That will give us a chance to handle the proceedings involving
23 the witnesses that have not shown up, as well as get a bite to eat.

24 So why don't we recess until, say, 12:15. We will take up the
25 matter of the witnesses who have not attended, and then at 12:30,

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1 Ambassador, you could prepare to resume at 12:30.

2 AMBASSADOR HALE: Okay.

3 THE CHAIRMAN: So we are in recess until 12:15.

4 [Recess.]

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1 [12:30 p.m.]

2 THE CHAIRMAN: Okay. Let's go back on the record. Ambassador,
3 I wanted to just follow up on some of the questions that my colleagues
4 in the minority asked during their period of questioning.

5 I think you were asked whether it was the view of the State
6 Department that issuing a statement of support for Ambassador
7 Yovanovitch might make things worse. And I think you indicated that
8 that was the view of the State Department. But I want to drill down
9 on that.

10 It was your view, in fact, that a statement should go out
11 supporting the Ambassador, wasn't it?

12 AMBASSADOR HALE: Yes. I have been advocating for a statement.

13 THE CHAIRMAN: And others who brought the issue to your attention
14 were also advocating for a statement in support of the Ambassador?

15 AMBASSADOR HALE: The general trend was, yeah, to -- I mean, we
16 were working on drafts. And, yes, the European Affairs Bureau, myself,
17 and the Ambassador, Ambassador Yovanovitch, were working on it, and
18 I had said early on that I supported that. And that was the spirit
19 of things.

20 THE CHAIRMAN: So, when my colleague asked you about the view of
21 the State Department being that as such a statement would make things
22 worse, what that really indicates is that it was the decision of the
23 Secretary of State not to do it, and the explanation was that it might
24 make matters worse. Is that right?

25 AMBASSADOR HALE: Yes. As I said earlier, I don't have a memory

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1 of being told at a specific time by a specific person that there would
2 be no statement other than the meeting I had with the Secretary on that
3 Monday when it was clear there wasn't going to be a statement that day,
4 that we were going to have a series of contacts, and then they would
5 be assessing it. So it's evident that, by the matter of number of days
6 passed, that I learned, in some fashion I can't specifically remember,
7 that there was an assessment that it might make matters worse.

8 THE CHAIRMAN: But that assessment was made by the Secretary,
9 correct?

10 AMBASSADOR HALE: I don't remember exactly, but I can't conclude
11 that anyone else would have made that assessment.

12 THE CHAIRMAN: You also, I think, testified, that the President
13 had lost confidence in the Ambassador, and I want to drill down on that
14 as well.

15 The term "lost confidence" is one that can be applied in a number
16 of different circumstances -- as a diplomatic euphemism. You
17 ultimately found no reason to credit the allegations against the
18 Ambassador, I think you have said, correct?

19 AMBASSADOR HALE: Correct.

20 THE CHAIRMAN: In fact, no one was able to find any merit to those
21 allegations in that smear campaign.

22 AMBASSADOR HALE: No one that I know.

23 THE CHAIRMAN: And so there was an effort to find out if there
24 was any basis, and as a result of those efforts, including efforts by
25 the Secretary, the conclusion was there was no substance to these

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1 attacks on her, correct?

2 AMBASSADOR HALE: That's right.

3 THE CHAIRMAN: So, when you say, or others say, that the President
4 lost confidence in the Ambassador, that was notwithstanding the
5 realization that the attacks on her had no basis, correct?

6 AMBASSADOR HALE: Well, it was the President who was taking the
7 position that he had lost confidence or had no confidence in the
8 Ambassador. I have no insight into what information or how that came
9 to be. I am just answering the questions about the interactions I had
10 with the Secretary of State on the allegations, in general, throughout
11 this period. And throughout that period, he said he wouldn't credit
12 them unless he was shown credible evidence, and that never happened.

13 THE CHAIRMAN: And so, the Secretary of State, to your knowledge,
14 never found credible evidence supporting these allegations against the
15 Ambassador, right?

16 AMBASSADOR HALE: As far as I know.

17 THE CHAIRMAN: And you didn't, and the other people who reported
18 to you didn't find any evidence to support that smear.

19 AMBASSADOR HALE: I never saw any.

20 THE CHAIRMAN: And so, if the President, nonetheless, to use the
21 parlance of lost confidence, it would have been on the basis of what,
22 what he was hearing from Rudy Giuliani or others?

23 AMBASSADOR HALE: I can't speculate.

24 THE CHAIRMAN: Or from his son on Twitter?

25 AMBASSADOR HALE: I couldn't speculate, Chairman.

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1 THE CHAIRMAN: But it wasn't from the Secretary or anyone else
2 at the Department, as far as you know.

3 AMBASSADOR HALE: As far as I know.

4 THE CHAIRMAN: Now, you mentioned a readout of the May 23rd
5 meeting that you received, correct?

6 AMBASSADOR HALE: Yes.

7 THE CHAIRMAN: Who prepared that readout?

8 AMBASSADOR HALE: A member of my staff.

9 THE CHAIRMAN: And was that member of your staff present during
10 the meeting at the White House?

11 AMBASSADOR HALE: No.

12 THE CHAIRMAN: So how did the member of the staff get the
13 information to prepare the readout for you?

14 AMBASSADOR HALE: I don't know, but those -- I didn't ask. Those
15 kinds of readouts are usually provided by someone who was in the
16 meeting, who then provides it -- if they're from the State Department
17 would probably read it out to a member of their staff, who, given my
18 interest in the topic, my staff would then get that information from
19 that individual staff. That would be one normal way for that to occur.

20 THE CHAIRMAN: So someone in the meeting would have prepared the
21 readout, and, eventually, it would have gotten to you?

22 AMBASSADOR HALE: That's right.

23 THE CHAIRMAN: Now, you mentioned what was in that readout, and
24 what was in that readout was kind of a more or less generic recitation
25 of U.S. policy toward Ukraine, correct?

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1 AMBASSADOR HALE: Yes.

2 THE CHAIRMAN: There was nothing striking, any notable departure
3 from U.S. policy in that readout.

4 AMBASSADOR HALE: No, the only departure from not so much policy
5 but the implementation of the policy was that the members of the
6 Presidential inauguration delegation were being entrusted with
7 carrying out, reaching the goals that were described in the meeting.

8 THE CHAIRMAN: But there was at least one very notable omission
9 from that readout, wasn't there?

10 AMBASSADOR HALE: I'm not sure what you're asking, sir.

11 THE CHAIRMAN: You have become aware, have you not, that the
12 President, during that meeting, instructed those present that they
13 needed to talk to Rudy Giuliani.

14 AMBASSADOR HALE: I have no independent knowledge of that. It
15 was not in the readout, sir. Yes.

16 THE CHAIRMAN: But you have become aware of that since, have you
17 not?

18 AMBASSADOR HALE: Based on the things that have become public
19 since the whistleblower report and everything else that the committee
20 has been doing and so forth.

21 THE CHAIRMAN: Why would the person creating the readout leave
22 out the President's instruction that those he was now charging with
23 Ukraine policy needed to talk to Rudy Giuliani?

24 AMBASSADOR HALE: I couldn't speculate on that, sir. I don't
25 know.

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1 THE CHAIRMAN: Well, here's someone, Rudy Giuliani, involved in
2 the smear campaign against Ambassador Yovanovith, and during this
3 meeting on Ukraine policy, the President is instructing the
4 participants to talk to Rudy Giuliani. Wouldn't that be a very
5 important piece of information for people to know about what took place
6 in that meeting?

7 AMBASSADOR HALE: All I know, Mr. Chairman, since I wasn't in the
8 meeting is that I read a readout of the meeting given to me by a member
9 of my staff. It seemed like a perfectly normal readout. And that is
10 all I knew.

11 THE CHAIRMAN: Wouldn't you have like to have known, though, that
12 one of the people involved in the smear campaign that ultimately
13 resulted in the recall of the Ambassador was mentioned during that
14 meeting, and the President had charged those present with working with
15 that person?

16 AMBASSADOR HALE: It's always good to get the fullest possible
17 readouts you can so you have a full understanding of what has happened
18 and what the President's intent is so we can try to meet that intent.
19 I had no reason to believe that I was not getting that.

20 THE CHAIRMAN: But you now have reason to believe you weren't
21 getting that, do you not?

22 AMBASSADOR HALE: Only because of what has been made public
23 indirectly through the work of this committee and the whistleblower.

24 THE CHAIRMAN: I want to ask you also about the meeting that Dr.
25 Kupperman chaired. That was a deputy principals meeting, was it?

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1 AMBASSADOR HALE: Yes. It was technically called a deputy small
2 group.

3 THE CHAIRMAN: And who's part of the deputy small group?

4 AMBASSADOR HALE: Well, it's composed of the Deputy Secretaries
5 for the most part, or whatever their title is, the deputies of each
6 of the agencies that has something at stake in foreign affairs. So
7 my recollection is that that particular -- and the participation will
8 vary, possibly depending on the topic. It's the NSC who does the
9 inviting. That's chaired, of course, by Deputy National Security
10 Adviser Kupperman. State Department was there, Treasury, OMB, JCS,
11 OSD, Energy, DHS. That's not a comprehensive list. Those are the ones
12 I remember. It was a large number of agencies, despite the title, small
13 group.

14 THE CHAIRMAN: And I think you mentioned that, as you went around
15 the room, everyone from the different policy areas advocated on behalf
16 of resumption of the Ukraine aid?

17 AMBASSADOR HALE: USAID was there as well. Yes, either they
18 endorsed the resumption of military aid, or they spoke of their own
19 aid programs and indicated they wanted their programs to continue as
20 well.

21 THE CHAIRMAN: And what did Dr. Kupperman -- what was his role
22 during this meeting, and what do you recall him saying?

23 AMBASSADOR HALE: My recollection is it was a fairly neutral
24 chairing of a meeting to gather the information from each agency and
25 what their position was on this matter.

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1 THE CHAIRMAN: And at some point, was it someone from OMB or
2 someone relating what they had heard from OMB that was the lone
3 objection?

4 AMBASSADOR HALE: The objection, the lone objection came from
5 the -- directly from the representative of OMB.

6 THE CHAIRMAN: And who was that?

7 AMBASSADOR HALE: I don't remember the name of the person. I
8 don't go to these meetings very often. Our Deputy Secretary normally
9 handles them.

10 THE CHAIRMAN: And all that representative of OMB said was the
11 President has instructed, through Mr. Mulvaney, that that be suspended,
12 the military aid be suspended?

13 AMBASSADOR HALE: Essentially, yes.

14 THE CHAIRMAN: Now, my colleagues in the minority asked you about
15 an overall review of foreign assistance, and I want to make sure that
16 we're not conflating the two here. It was an overall review of all
17 foreign assistance, correct?

18 AMBASSADOR HALE: That's right.

19 THE CHAIRMAN: But there was a very specific hold placed on this
20 assistance to Ukraine for inexplicable reasons, was there not?

21 AMBASSADOR HALE: That is correct. There was information that
22 came to me starting in late June that a hold had been placed on both
23 Ukraine assistance and Lebanon military assistance without any
24 explanation on those, about those holds; that's correct.

25 THE CHAIRMAN: And when you had that meeting chaired by Dr.

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1 Kupperman, it was clear that everyone was IN agreement that this aid
2 should be resumed.

3 AMBASSADOR HALE: With the exception of OMB.

4 THE CHAIRMAN: And, again, to distinguish between the overall
5 review of foreign assistance, I think you were asked by my colleagues
6 in the minority, well, aren't their circumstances where aid to a country
7 is withheld? Are you aware of circumstances in which aid to a country
8 other than Ukraine was withheld in order to secure political
9 investigations of a political opponent of the President?

10 AMBASSADOR HALE: No.

11 THE CHAIRMAN: So the Pakistan aid wasn't withheld so that a
12 political investigation of the Bidens could be done, was it?

13 AMBASSADOR HALE: That's correct, it was not.

14 THE CHAIRMAN: And the aid to the Northern Triangle wasn't
15 withheld because there was an effort to get political investigations
16 involving the Bidens, was there?

17 AMBASSADOR HALE: That's correct; it was not.

18 Mr. PERRY: Mr. Chairman, I want to object. I mean, you're
19 making some pretty loose assumptions there, based on -- it's fair that
20 that's your opinion. But you're asking the witness as if that were
21 the fact of the matter, and it is not established as the fact of the
22 matter.

23 THE CHAIRMAN: I appreciate that. And in your questions, you can
24 seek to flesh that out any further as you like. But it was the minority
25 counsel seeking to conflate a suspension in foreign assistance with

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1 what happened with Ukraine, and I think they are two very different
2 illustrations.

3 But I take it, the circumstances involving the suspension of aid
4 to Jordan did not involve a request for political investigations, did
5 it?

6 AMBASSADOR HALE: I think maybe you misspoke, Mr. Chairman, about
7 Jordan.

8 THE CHAIRMAN: I'm sorry; Lebanon.

9 AMBASSADOR HALE: I see. No, we didn't -- no one explained to
10 us in either case, Ukraine or Lebanon, the reasoning behind the hold,
11 or the freeze really.

12 THE CHAIRMAN: Mr. Goldman.

13 BY MR. GOLDMAN:

14 Q When was the Lebanon aid released?

15 A It's still not been released.

16 Q And has there been a reason provided?

17 A No. I mean, we -- it appears to be that there is a dispute
18 over the efficacy of the assistance to [REDACTED].

19 Q Does it relate to some of the concerns about [REDACTED] and
20 how the aid is being used [REDACTED], to
21 your knowledge?

22 A [REDACTED]

23 Q Was there -- if the aid has not been released at this point,
24 was there a reprogramming or rescission request made?

25 A On Lebanon?

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1 Q Yes.

2 A Not yet. It's still a pending matter before agencies.

3 Q Was it 2-year money or 1-year money?

4 A I don't know.

5 Q Okay. And so you still -- have you -- has the State
6 Department been provided with a reason why the hold has been withheld?

7 A Officially, no; formally, in no way, in no manner.

8 Q How about informally?

9 A Not even informally, no. We just understand there are
10 differences of opinion on this, or there had been. And the matter now
11 rests with OMB. I don't think that the differences currently exist
12 outside of OMB.

13 Q And was this congressionally authorized aid as well to
14 Lebanon?

15 A I'm pretty sure of it, yeah. Yes.

16 Q You think so?

17 A Yeah. I mean, I don't know the ins and outs of legislation
18 as well as others perhaps, but --

19 Q Okay. We will circle back to this issue in a bit. But I
20 want to go back to where we ended the first round.

21 Before I do that, though, you indicated that you were careful not
22 to speak to other potential witnesses prior to, once the whistleblower
23 complaint was made public and the call record from the July 25th call
24 was made public.

25 Did you have any conversations though with Secretary Pompeo about

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1 this investigation?

2 A We have had one conversation I can remember in which it was
3 just -- maybe two conversations, just a general comment he made
4 that -- and I made as well, that the State Department is going to have
5 to continue to stay focused on America's business and the conduct of
6 our foreign policy throughout this period, including our Ukraine
7 policy. That was one conversation we had.

8 The second conversation we had in which, again, we came back to
9 the point that we needed to make sure that we were continuing to focus
10 on our policy goals in Ukraine.

11 Q Did the Secretary make any comments to you about the
12 propriety of this investigation?

13 A We have not discussed anything other than what I just
14 described.

15 Q It was entirely -- both conversations were entirely about
16 Ukraine policy?

17 A That was the focus of the conversations. I can't swear that
18 I remember every word uttered in the meeting.

19 Q Did you have any discussion about whether the State
20 Department would cooperate with the investigation?

21 A We didn't, he and I did not discuss that. It is not my area.

22 Q After you were asked to come testify, did you have any
23 conversation with Secretary Pompeo about your own testimony?

24 A No.

25 Q Did you -- other than any formal correspondence through the

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1 legal adviser, did you have any conversations where anyone discouraged
2 you from testifying?

3 A No, the contrary.

4 Q Who encouraged you?

5 A Well, when I received the letter from the committee, I
6 notified, by email, the Secretary's office, and then directly notified,
7 by email, the Deputy Secretary, the under Secretary for management,
8 the legal adviser, and the head of legislative affairs to say I just
9 received this letter. I just want you to know.

10 I got no reaction to the email. And after -- I guess it was
11 yesterday I had a discussion with the Deputy Secretary, and he said -- I
12 just wanted to make sure that he knew I was coming. It was in the news.
13 I didn't think anyone didn't know. But I just wanted to make sure
14 people weren't surprised when I came. Our legal adviser knew it and
15 legislative affairs knew it because they were working on the
16 arrangements. But I just wanted to make certain that it registered.

17 And he said, by all means, and he said do what your lawyer and
18 your conscience tell you to do.

19 Q Did you receive any formal writing, formal correspondence
20 telling you not to appear?

21 A There was this form letter that my attorney received, which
22 I frankly, I glanced at it. I didn't read it.

23 Q What did that say?

24 A Well, everyone knows what it said. It basically says for
25 reasons -- it was sent to you.

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1 Mr. GLASSER: It's essentially an attachment -- it's just a form
2 letter stating the position of the Department about documents and
3 attaching the 10-page letter from the White House by Counsel Cippione
4 (ph), I think, something like that.

5 Mr. GOLDMAN: Okay. But you were -- it did not direct you not to
6 appear.

7 Mr. GLASSER: No, or if it did, we didn't follow it. I mean, I'd
8 have to go look for it. We did not -- it didn't matter.

9 THE CHAIRMAN: Ambassador, you mentioned -- and you gave the
10 title, but I don't know who you're referring to that you went to talk
11 to, to just alert them, to make sure they knew you were coming here
12 today. And who was that you spoke with?

13 AMBASSADOR HALE: Last night? The Deputy Secretary of State.

14 THE CHAIRMAN: Could you tell us his name?

15 AMBASSADOR HALE: John Sullivan.

16 THE CHAIRMAN: So you told John Sullivan, and he said: You know,
17 by all means, do what your conscience and your lawyer recommend?

18 AMBASSADOR HALE: That's right.

19 THE CHAIRMAN: Are you aware that Mr. Brechbuhl was also supposed
20 to testify today, but I believe he is on a plane out of the country
21 right now?

22 AMBASSADOR HALE: I had heard that he had been -- and I don't know
23 who told me, but I heard that he had been called up. It was in the
24 media that he was supposed to appear today. And it was in the course
25 of my lawyer and I were having a meeting to prepare for this, and I

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1 was informed in that meeting by my attorneys, I believe, that he
2 had -- was not going to be appearing.

3 Maybe you heard that from -- well, I don't want to put words in
4 your mouth.

5 THE CHAIRMAN: And do you know whether he was given a different
6 instruction than you were by the Deputy Secretary?

7 AMBASSADOR HALE: I have no idea.

8 THE CHAIRMAN: Okay. Thank you.

9 BY MR. GOLDMAN:

10 Q Going back to shortly after Ambassador Yovanovitch was
11 removed, and I want to address one issue that came up from the minority's
12 questioning. Is it fair to say that one of the reasons that the State
13 Department requested that Ambassador Yovanovitch extend her stay was
14 because Ukraine was going through elections?

15 A Yes. I mean, her testimony refreshed my memory of this
16 conversation, so, I don't know -- I read it when you released it. I
17 do remember also that the conversation partly was about the fact that
18 there was, I think, in October, Rada elections, and it made sense for
19 the Ambassador to see through that process. This was in early March
20 when I was in Ukraine and had been talking to her.

21 Q So, maybe you misspoke, but the fact of a foreign country
22 having elections is actually a reason to encourage continuity among
23 U.S. Ambassadors, not discourage continuity. Is that right?

24 A I think it is a case-by-case matter. You have to assess the
25 situation. Most of the time, actually, it would not be a factor at

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1 all. I mean, most of the time, we would rotate our Ambassadors on the
2 schedule of their assignments. Usually, that is the norm, but there
3 are a lot of times where it is deemed prudent to have an Ambassador
4 transition out at a different time than that.

5 Q But certainly, in this case, it was a factor in extending
6 her stay, the Ukrainian elections?

7 A Well, this was an idea that I had when I was with her, was
8 that I knew that a vacancy was going to be upon us when she left, and
9 it seemed to me, given her performance there, and the elections
10 schedule, that there was some logic to asking to see if she would be
11 willing to stay for some time longer. That is a conversation she and
12 I had. I had not checked with anyone on that. I think she knew that
13 I had not checked with anyone on that. And I don't think that the
14 process of extending her had gotten very far in the decisionmaking
15 stream.

16 Q Right. Well, 11 days after you left Ukraine, these articles
17 came out, right? And you have testified here, and no one disputes that
18 the ambassadors serve at the pleasure of the President. But if a
19 President believes that -- well, withdrawn.

20 The President did not remove Ambassador Yovanovitch at the
21 beginning of his term in early 2017, right?

22 A Yes.

23 Q I mean, she served almost her full 3 years in the end, right?

24 A That's right.

25 Q Notwithstanding the fact that the President felt the need

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1 to recall her just shy of her 3 years, correct?

2 A Correct.

3 Q After she left and was recalled, there was no Ambassador or
4 Charge in Ukraine until Ambassador Taylor got there in mid-June. Is
5 that right?

6 A That is not technically correct. Any time an Ambassador
7 leaves the country, whoever is next in the line of command automatically
8 Charge d'affaires unless there is some reason, unusual circumstance
9 where you want to make someone else that, take that role.

10 Q And the person underneath the Ambassador or Charge
11 d'affaires is commonly referred to as the DCM, the Deputy Chief of
12 Mission?

13 A Correct.

14 Q And were you aware that around this time the Deputy Chief
15 of Mission who had been in Ukraine also left?

16 A Yeah, that was part of the problem. I mean, it may have been
17 a factor in my thinking about having the Ambassador stay longer. I
18 don't really remember that. But those are the kinds of things, when
19 I said "case by case," why we evaluate the circumstances.

20 Q Right.

21 A What was clear was that we wanted a senior officer, a seasoned
22 senior officer, preferably at the Ambassador rank to be there.

23 Q Why?

24 A Because of the importance of Ukraine.

25 Q But there was clearly a void because the DCM had left, or

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1 was leaving; Ambassador Yovanovitch was recalled; and so no one with
2 much experience who was on the ground in Kyiv after Ambassador
3 Yovanovitch was recalled, correct?

4 A I don't remember exactly who played the charge role during
5 that relatively brief period. But we have, of course, a country team
6 and an extensive body of expertise and competence amongst our Foreign
7 Service officers and other agencies represented on the country team.

8 Q Do you recall a time in, around May 9th, when the public
9 became aware of a trip to Ukraine that Mayor Giuliani had planned that
10 was, that received some press attention? Do you recall that?

11 A I later recalled it. In researching for this deposition,
12 I saw the New York Times story about that.

13 Q But you do not recall seeing the New York Times story at the
14 time?

15 A I was surprised when I saw that it was forwarded to me at
16 that time, and I had not remembered it until I saw the email to prepare
17 for this moment.

18 Q But it was forwarded to you at the time?

19 A Yes.

20 Q And around this time, had you indicated to your staff and
21 others that you wanted to be a little bit more engaged with Ukraine
22 issues?

23 A I don't remember that, per se. I think that, since the fact
24 that I had gone to Ukraine and there were elections coming, it's a normal
25 thing for my staff to keep my informed.

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1 Q Well, you had just said that you, in relation to the May 23rd
2 readout, that you had a particular interest in Ukraine around that time.
3 Obviously, with everything going on with Ambassador Yovanovitch, was
4 it fair to say that you were more focused on Ukraine than you might
5 otherwise be around this time because of these issues?

6 A No. I tend to focus on where there is a current problem.

7 Q And there was a current problem with Ukraine, correct?

8 A What timeframe are you talking about?

9 Q I'm talking about the April-May timeframe.

10 A Well, the issue of the Ambassador had -- you know, the issue
11 of the campaign about the Ambassador had more or less ceased at the
12 end of March and early April, and then we faced another issue to focus
13 on when the President met with -- the issue was really the composition
14 of the Presidential inaugural delegation, its composition, and then
15 the guidance that the President was giving to it. That was the
16 substantive focus.

17 Q When you prepared for your testimony today, did you reread
18 that New York Times article?

19 A I did, yeah.

20 Q And so you saw in it where Mr. Giuliani states that he
21 intended to go to Ukraine to press the Ukrainian government to initiate
22 two investigations that would benefit the President, one related to
23 the Bidens and Burisma, and the other related to the 2016 election?

24 A Yes, that's in that New York Times article.

25 Q And at the time, that would have confirmed some of the

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1 information provided to you by Ambassador Yovanovitch in her email of
2 March 24th, correct?

3 A I didn't -- I don't remember, frankly, my reaction to the
4 New York Times article. I just want to emphasize, my focus was on the
5 policy pieces of this.

6 Ulrich Brechbuhl, the Counselor of the Department, was
7 focused -- was the point person on issues, as I mentioned, related to
8 the Ambassador and her status and the issues of this campaign.

9 Q We understand, Ambassador Hale. But as you can imagine,
10 there comes a point where official U.S. policy collides with unofficial
11 efforts to promote other policies. And so your knowledge and
12 understanding of what other efforts may have been is relevant to your
13 testimony here today.

14 So the real question -- we fully understand that your focus is
15 on policy, that you have a very broad portfolio. But the question
16 really is, do you recall, in mid-May, understanding that Mayor Giuliani
17 was pressing, or intended to press Ukrainian officials to conduct these
18 two investigations?

19 A As I said, I did not remember the New York Times article until
20 I was researching for this gathering. I see a lot of news reports.
21 I see a lot of things said, that people say.

22 I knew that Ulrich was handling these matters, or had been, in
23 any event, and nothing seemed to come of it. Usually, when you see
24 a report like that, if there is an issue to follow up, then people are
25 bringing to you more to follow up on. That didn't occur, to my

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1 knowledge. He didn't travel to Kyiv, and we focused instead -- I was
2 focused instead on the issue of the Presidential delegation, which,
3 came forth not long after that.

4 Q Although, are you aware that they did not announce the
5 inaugural date until about a week after this article?

6 A Yeah. I'm not saying that I was focused on the inauguration
7 on May 9, May 10. I'm just saying, in the sequence of things, the event
8 I was looking toward, and we were all preparing mentally for the fact
9 that there was going to be an inauguration, and how were we going to
10 use that moment? These are important for us because we can get senior
11 officials to attend those inaugurations to demonstrate our position
12 toward the country and to push forward certain policies.

13 Q The information that Mr. Giuliani is quoted as saying in that
14 article confirmed some of the email that Ambassador Yovanovitch wrote
15 to you that you referred to be speculative. Is that at least an
16 accurate reading right now, having reread it in preparation for this?

17 A If the New York Times article is accurate, it did seem to
18 touch on some of the same matters that Ambassador Yovanovitch
19 speculated on may have been part of why she was encountering a smear
20 campaign. But Ambassador Yovanovitch did not discuss any
21 investigations.

22 Q She just discussed -- what did she discuss?

23 A She just discussed -- the thrust of her email was to list
24 a number of things that might or might not have been
25 behind -- motivations behind Mayor Giuliani's involvement in these

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1 allegations against the Ambassador if he was, in fact, involved. There
2 was no evidence of that in that email.

3 And it included a reference to -- there was references to his
4 business interests in Ukraine, which was the body of the text. And
5 there was one reference to the fact that bringing up this issue
6 involving Vice President Biden's son might be attractive because it
7 would remind people of a problem that the Vice President has.

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1 [1:00 p.m.]

2 MR. GOLDMAN: And so, at that time, these were just allegations.

3 There was --

4 A Yeah.

5 Q -- no discussion of whether there would be investigations
6 into the allegations?

7 A There was nothing in her email, to my memory, that referred
8 to any kind of investigation.

9 Q And I want to go back to another George Kent email, whether
10 it was narratives or another description. Did you ever receive an
11 email from George Kent where he described four categories of
12 allegations that were included in those John Solomon articles in The
13 Hill?

14 A As I said earlier, I don't remember an email that outlined
15 four categories. I do know that there was quite a number of emails
16 about The Hill story. And as I said earlier, there were basically two
17 trends going on: One was press guidance basically, what would we do
18 in response to The Hill story; and other related theme was what would
19 we do -- what was behind the smear campaign, if that's what you call
20 it, and what were we going -- what were we thinking about that?

21 Q Within the State Department, as far as you were aware, did
22 anyone know whether there was any factual basis to the allegations
23 related to the Biden-Burisma allegations or the Ukrainian interference
24 in the 2016 election?

25 A Could you repeat the beginning of the question?

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1 Q Within the State Department, as far as you knew --

2 A Yeah.

3 Q -- was there -- were you informed or were you notified or
4 were you provided any factual basis to support the allegations related
5 to the Biden-Burisma allegations and the Ukrainian interference in the
6 2016 election?

7 A No. I never saw any evidence of that.

8 And I do want to emphasize that I did not focus on that aspect
9 of things. It did not seem to be relevant to what --

10 Q No. You have emphasized that. We understand. And we're
11 just trying to understand your vantage point here.

12 The -- when -- were you aware of any conversations within the
13 State Department in response to The New York Times article which
14 outlined Mr. Giuliani's intention to go to Ukraine to press for these
15 investigations?

16 A No. I have no recollection of any discussions related to
17 that.

18 Q The State Department did not try to intervene in any way as
19 far as you know?

20 A I have no information about what happened.

21 Q Would you have been concerned if a private citizen was going
22 over to press Ukrainian officials to do investigations that -- specific
23 investigations that would benefit the President?

24 A It wasn't clear to me at the time that that was, in fact,
25 happening.

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1 Q I understand.

2 A So you're asking me a hypothetical question, and I really
3 don't wish to speculate.

4 Q Were you aware that Mr. Giuliani told a Ukrainian journalist
5 on May 14th that Ambassador Yovanovitch was recalled because she was
6 part of the efforts against the President?

7 A That's the first time hearing that. To my recollection, I
8 have not seen that in my research to get ready, and I don't remember
9 that from the time.

10 Q But that was consistent with the allegations related to
11 Ambassador Yovanovitch in The Hill articles in March. Is that right?

12 A That's right.

13 Q Do you recall a meeting that you had with Fiona Hill and
14 Philip Reeker on May 16th?

15 A Yes.

16 Q What do you remember from that meeting?

17 A Very little. I really don't remember an intensive
18 discussion of Ukraine. The meeting notes that were prepared for my
19 meeting said that we were going to be discussing the composition of
20 the Presidential delegation for the inauguration.

21 I recall -- my memory of the meeting is more about Russia, frankly.
22 We were trying to think of ways in which we could renew more senior
23 and more sustained engagement of Russia. The relationship, of course,
24 has had its difficulties, and so there was -- there were proposals that
25 I go to restart a long, suspended political dialogue with my counterpart

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1 to discuss the issues around the world, that we would also resume
2 counterterrorist dialogues that we have held in the past and that the
3 Deputy Secretary would conduct, and we discussed also resuming arms
4 control discussions that Under Secretary for those matters, Andrea
5 Thompson (ph), would conduct, and all of those things actually did
6 unfold.

7 And my recollection is that that's the strongest memory I have
8 from that meeting, again, because it was operational for me.

9 Q And given that -- the issues with Russia as you've described
10 some of them, where does Ukraine fit in in U.S. policy in countering
11 concerns -- Russian concerns or Russian aggression?

12 A Well, it's a major, major dimension of why we have a strained
13 relationship with Russia, is because of their occupation of large parts
14 of Ukraine. That's why we have the sanctions in place, and it's a
15 continual topic of disagreement in all of our exchanges.

16 Q And so Ukraine is an important ally for the United States
17 in fighting Russia? "Fighting" may not be the right word.

18 A Yeah.

19 Q In combating Russia.

20 A I'm not sure I'd use the word "ally," but partner, certainly.
21 And because of what Russia's doing to target Ukraine, that's one of
22 the reasons we wanted to strengthen Ukraine's resilience to counter
23 that kind of pressure.

24 Q Do you remember the topic of Ambassador Sondland coming up
25 in that May 16th meeting with Dr. Hill?

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1 A I don't. Again, we were discussing the composition of the
2 Presidential delegation, so it's possible it came up.

3 Q Did you recall having any discussion about Ambassador
4 Sondland's irregular role in Ukraine at that meeting?

5 A Well, any time Ambassador Sondland came up, there is usually
6 a discussion of the fact that he was involving himself in matters that,
7 I think, went beyond the normal writ of an Ambassador to the European
8 Union.

9 Q That includes Ukraine, but as well as other countries?

10 A That's right.

11 Q Were you aware at that May 16th meeting that Ambassador
12 Sondland wanted to go to the inauguration as part of the U.S.
13 delegation?

14 A I don't remember that, but, again, I'm not surprised if it
15 was -- it would not surprise me that we discussed that at the time,
16 but I don't remember that.

17 Q Do you recall having any concerns whether -- at this point
18 or even after the May 23rd White House meeting where he was tasked by
19 the President to handle Ukraine policy, with the fact that Ambassador
20 Sondland was taking such an active role in Ukraine matters?

21 A Well, the State Department had not recommended that
22 Ambassador Sondland be on the delegation. We had sent a different set
23 of recommendations that the Vice President lead the delegation and that
24 officials who were in the normal line of authority for Ukraine policy,
25 including Ambassador Volker, be among those on the delegation.

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1 Ambassador Sondland's name was not among them.

2 Q Do you know how it got -- how he was ultimately invited?

3 A I don't know. It was confirmed only when I saw the
4 announcement of the delegation and the readout that came from meeting
5 that the Secretary -- excuse me -- the President had with the
6 delegation in which he affirmed not only -- well, it was clear who was
7 going to be on the delegation. And he affirmed that that group was
8 going to be responsible for pursuing the goals that he spelled out.

9 Q Were you aware of Ambassador Sondland's relationship with
10 President Trump?

11 A Only the things that Ambassador Sondland said about that
12 relationship.

13 Q What did he say to you?

14 A Well, I've only met him a few times. I went to Brussels and
15 he came to my office a couple times. It was hard to pin down. He
16 definitely wanted people to know that he had direct access to the
17 President, and he would often invoke the President's name for certain
18 things he wanted and he was pursuing. None of it struck me as
19 problematic. I mean --

20 Q He's a political appointee?

21 A Political appointee, exactly.

22 Q Do you know whether he had regular communication with the
23 chief of staff office or --

24 A I don't know.

25 Q -- the chief of staff?

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1 A I don't know.

2 Q And you don't know ultimately why the Vice President did not
3 go to the --

4 A I don't know.

5 Q -- to the inauguration?

6 Your meeting with Ambassador Taylor was after he met with
7 Secretary Pompeo, correct?

8 A I think so, yes.

9 Q You said you met on June 7th with Ambassador Taylor?

10 A That's correct. I met him on June 7th.

11 Q You testified earlier that you had a July 2nd communication
12 with Kurt Volker. Is that right?

13 A My notes said -- and maybe I misspoke earlier -- but on
14 July 2nd, Ambassador Taylor emailed me to just draw my attention to
15 the fact that the Secretary was reported to be saying that the President
16 had invited Zelensky to Washington, and he was just reminding me of
17 that and reminding me that it was important that we nail that down.

18 Q Okay. Were you aware that Kurt Volker met with the President
19 of Ukraine on July 2nd in Toronto?

20 A Yes. I was aware that that meeting was coming. At one
21 point, it was suggested that I might attend the meeting. It was not
22 possible, because of my schedule, for me to go, so we -- I didn't
23 remember, but it would not be a surprise that we sent Ambassador Volker,
24 given his direct responsibilities for this, to that meeting, with a
25 number of countries attending.

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1 Q And to the extent -- go ahead.

2 A Well, it was a group meeting with Zelensky, and then he may
3 have had his own meeting with him. In fact, I know he had his own
4 meeting. The Embassy in Ottawa reported on that meeting.

5 Q What did they report?

6 A Well, I reread the cable again to prepare for today. It was,
7 again, just a straightforward account discussing what President
8 Zelensky's plans were on all the agenda items that we had and that I've
9 mentioned earlier. And it also noted that Ambassador Volker was
10 encouraging President Zelensky to make a call to President Trump.

11 Q Did it include anything about a reference to investigations
12 that Ambassador Volker discussed with President Zelensky?

13 A I don't believe so, no.

14 Q That would be something outside of the normal official
15 policy. Is that right?

16 A Well, it wasn't presented in anything I'd ever seen about
17 what it is that we were trying to achieve.

18 Q I understand you don't want to speculate. We understand
19 that you don't have firsthand knowledge of any of this activity related
20 to these investigations, but you are very familiar with official State
21 Department policy and procedures and readouts and cables.

22 And the real question, I guess, to you is that these readouts and
23 these cables are official State Department documents. Is that right?

24 A Correct.

25 Q And so they are created with some degree of care and

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1 precision with an eye towards being official documents, right?

2 A Certainly cables and memos are. I think people are
3 sloppier, to be honest, about email.

4 Q So, if, let's say -- and it's a hypothetical -- but it
5 wouldn't surprise you if Ambassador Volker had a conversation with
6 President Zelensky about urging him to conduct specific
7 investigations, that that wouldn't be in an official cable if that
8 occurred?

9 A Well, I think all of us have been in a situation where we
10 have a sensitive topic to raise, and we might do that in a one-on-one
11 in which the notetaker's not present and we may choose to report that
12 back to whoever we believe needs to hear about it orally. That happens
13 with some frequency.

14 Q Are you familiar with a July 10th meeting at the White House?
15 Did you want to jump in, Mr. Chairman?

16 THE CHAIRMAN: Yeah, before we go to that.

17 I take it that Ambassador Volker never discussed with you, along
18 the lines you mentioned, a more private oral conversation, never
19 discussed with you any conversations he may have had with President
20 Zelensky or members of President Zelensky's team about investigations
21 that President Zelensky should either raise with the President or be
22 aware that the President would want conducted?

23 AMBASSADOR HALE: About investigations?

24 THE CHAIRMAN: Yes.

25 AMBASSADOR HALE: That's correct. I never heard that. And, in

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1 fact, I only heard -- only had an exchange verbal or written with
2 Ambassador Volker when I first met him in the fall of 2018, the first
3 and last meeting with Ambassador Volker, to my memory.

4 THE CHAIRMAN: So, initially, it was thought you might go to the
5 meeting, but then it was decided that Ambassador Volker could cover
6 the meeting. But if Ambassador Volker had those conversations, they
7 didn't appear in the readout and he never relayed it to you orally?

8 AMBASSADOR HALE: That's correct.

9 BY MR. GOLDEN:

10 Q And to your knowledge, you never got any reports from the
11 Acting Assistant Secretary or DAS Kent related to any of those
12 investigations that -- any discussions related to an investigation?

13 A I have no recollection of hearing about that.

14 Q And so what was the reporting structure -- what were the
15 reporting requirements of Ambassador Volker and Ambassador Sondland
16 if they were tasked with pursuing this Ukraine policy by the President
17 on May 23rd?

18 A I don't know what -- all I know from that meeting was the
19 readout I shared with you earlier. There was nothing in the readout
20 I received that offered information on that.

21 As I said earlier, I was confident -- Ambassador Volker reports
22 to the Secretary of State, and I was confident that on the delegation,
23 we had someone with great expertise and who was a great professional,
24 so I had no reason to be suspicious or worried about anything.

25 Q And would you have expected Ambassador Sondland to report

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1 up the chain ultimately to you through proper channels?

2 A I would expect that, yes.

3 Q And were you aware -- have you seen the text messages that
4 have been now published?

5 A I may not have seen all of them, but I've -- yes, I've --

6 Q And did you --

7 A -- seen the ones that got the most of the media attention.

8 Q Right. You saw the text message from Ambassador Volker to
9 Andrey Yermak, a senior official, Ukrainian official, advising him that
10 if President Zelensky emphasizes the investigations and getting to the
11 bottom of what happened in the election, that a White House meeting
12 would follow?

13 A The question was whether I knew about --

14 Q Whether you read --

15 A I did not. Oh, I read the emails, yes.

16 Q Yeah. But that was not official State Department U.S.
17 policy?

18 MR. GLASSER: Can we get straight on the timeline?

19 AMBASSADOR HALE: Yeah. I read those when they became public
20 knowledge.

21 BY MR. GOLDEN:

22 Q Right. I understand you were not privy to them --

23 A Yeah.

24 Q -- and you were not present.

25 A Yeah.

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1 Q But as you read them and reacted to them as the
2 policy -- overseeing all policy for the State Department, would you
3 assess that that type of statement was not a part of official U.S. policy
4 towards Ukraine?

5 A I was surprised when I saw them, and it was not consistent
6 with anything that I had seen in terms of policy guidance.

7 MR. GOLDMAN: I believe our time is up, so we'll yield to the
8 minority.

9 THE CHAIRMAN: Forty-five minutes for the minority.

10 Ambassador, if you need a break at any time, let us know. It
11 doesn't have to be when we break.

12 AMBASSADOR HALE: Thank you.

13 BY MR. CASTOR:

14 Q You spoke this morning about the sub-PCC and small group
15 meeting and some of the official meetings that the National Security
16 Council convenes over the security assistance. Do you know if that
17 type of process is also in effect for loan guaranties?

18 A Related to Ukraine?

19 Q Yeah.

20 A This is the first time I've heard the question arise, so I'm
21 not -- no one's brought my attention to that.

22 Q Okay. So the funds at issue were the FMF, or foreign
23 military?

24 A That's right.

25 Q And the State Department controls that money?

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1 A It's a State Department account, yes.

2 Q And then the Ukrainian Security Assistance Initiative?

3 A That's right.

4 Q That's a DOD account?

5 A That's right.

6 Q And do you know any other pots of money or forms of assistance
7 that go through that process, the sub-PCC and so forth?

8 A Yeah. I mean, my guess -- I didn't get a detailed readout
9 on other aspects of it. It was the freeze of the security assistance
10 that was the big issue, but that group will discuss all assistance to
11 Ukraine. And as I said, when we had the Deputies Committee small group
12 meeting, and when they went around the room, although it was clear that
13 the agenda for the National Security was the frozen security
14 assistance, many agencies felt that it was a moment for them to also
15 advocate for continuation of their own security assistance.

16 I focused my comments on what I thought was the germane issue at
17 the time, which was the security assistance.

18 Q Okay. But you're not aware of how the loan guaranty programs
19 are -- some of the IMF-sponsored programs and so forth?

20 A I've not been briefed up on that. I'm not aware of that -- of
21 there -- of there being an issue there. It certainly does not involve
22 me, anyway.

23 Q Are you aware of Vice President Biden's role in Ukrainian
24 policy?

25 A I was in Pakistan. I was in Lebanon and Pakistan for the

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1 entire second term of the Obama administration. I just was not focused
2 on Ukraine.

3 Q Okay. Were you aware that he had an interest in Ukraine?

4 A Not at the time. I am now, with all the news that's come
5 out.

6 Q Okay. And would that be considered a regular channel to have
7 the Vice President manage Ukraine policy?

8 A I don't know that he did. It's a hypothetical question.
9 But the Vice President in many different administrations have been
10 given or take responsibility for certain discrete relationships.

11 I remember Vice President Gore had a very intense and structured
12 dialogue with the Russians, with his Russian counterpart.

13 Q Okay. Are you aware of the instance when Vice President
14 Biden talked about his effort to secure the firing of Prosecutor General
15 Shokin?

16 A Only when I've seen these TV and other reports about that.

17 Q He talked about, you know, being in Ukraine 12 or 13 times,
18 and there was another, you know, \$1 billion loan guaranty that was in
19 the balance and that he used that to secure the firing of a prosecutor
20 general.

21 And the question is, is that something that a Vice President can
22 do that cleanly, or is there a more structured front-end process that
23 the State Department would have had to go through before something like
24 that would actually happen?

25 A Again, you're asking me questions about matters of which I

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1 have absolutely no specific knowledge because I was far removed at the
2 time.

3 Q I mean, you're --

4 A What you're asking me is sort of a generic question about
5 how we conduct our business, and it would really be case by case. I
6 mean, Vice Presidents can be very effective in advocating for policies
7 of the President of our Nation on trips or in other ways.

8 Q Just given your experience as a senior State Department
9 person, there would likely be a relatively complete record of events
10 of that?

11 A I would hope so.

12 Q Okay. At various points today, we talked about the
13 allegation that the Ukrainian Government or certain Ukrainians may have
14 interfered or tried to interfere in the 2016 election. Do you have
15 any information related to that?

16 A I do not.

17 Q Were you aware that there were some distinct efforts of some
18 certain Ukrainians?

19 A I have no knowledge of that.

20 Q Have you read news accounts?

21 A I have seen the news reports, yes.

22 Q Okay. Like, were you aware that the Ambassador had written
23 an op-ed against candidate Trump?

24 A Which ambassador?

25 Q The Ukrainian Ambassador to the United States.

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1 A I'm not aware of that until you said that said so.

2 Q Okay.

3 THE CHAIRMAN: I think it was -- Counsel, it was an op-ed against
4 the President's statements about Crimea. I don't know that it was
5 against the President per se.

6 MR. CASTOR: At the time, the title of the op-ed is "Ukraine's
7 Ambassador: Trump's comments send wrong message to world?"

8 MR. GOLDMAN: Do you have a copy of it?

9 MR. CASTOR: Yeah.

10 MR. MEADOWS: Mr. Goldman, are you suggesting this is the first
11 time you've heard about this or would read this?

12 MR. GOLDMAN: Well, Mr. Meadows, the witness just said he had
13 never heard about it, so I want to make sure he's --

14 MR. MEADOWS: I'm asking about -- I'm asking about you,
15 Mr. Goldman.

16 MR. GOLDMAN: I am -- I'm very familiar with it.

17 MR. MEADOWS: I'm assuming by your smile that this is not the
18 first time you've heard of that.

19 MR. CASTOR: This is exhibit 1?

20 MR. GOLDMAN: Yes.

21 [Minority Exhibit No. 1
22 was marked for identification.]

23 BY MR. CASTOR:

24 Q This is just a marked copy. The other one you can use to
25 write on if you need to.

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1 Just -- the question I had about this is, do you think the
2 Ukrainian Ambassador to the United States would be able to draft an
3 op-ed and have it placed without the okay of his government back in
4 Ukraine?

5 A I don't know what Ukrainian Government procedures are. I
6 know what American -- our government's procedures are. We would
7 not -- an American Ambassador would not place an op-ed item without
8 it being thoroughly cleared and vetted.

9 Q Okay. I mean, in your experience, do you know Ambassador
10 Chaly, the former Ambassador? Have you ever met him?

11 A I met the Ukrainian Ambassador who has been in office until
12 the election. I don't really remember if it's the same guy or not,
13 to be honest with you.

14 Q Okay. But you would think that if he was going to place that
15 op-ed, he would have had the authority of President Poroshenko?

16 A That's a speculative thing. And as of this time, I had
17 nothing to do with Ukraine. I can't answer the question.

18 Q Okay. Are you aware of the effort to -- of some Ukrainians
19 to publish the role of Paul Manafort in his consulting work?

20 A I have no direct knowledge of that.

21 Q But you've heard of it being reported?

22 A I've heard various media reports about Paul Manafort, and
23 I've certainly watched the trials and so forth.

24 Q There was a Ukrainian investigative journalist who went on
25 to become a member of the Rada, Serhiy Leshchenko. Does that name

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1 ring a bell?

2 A Leshchenko?

3 Q Yeah.

4 A Yes.

5 Q What do you know about him?

6 A Isn't that the name of the prosecutor general?

7 Q Oh. That's Lutsenko.

8 A Lutsenko. Sorry. I'm not an expert on Ukraine --

9 Q Fair enough.

10 A -- as I've just proven.

11 Q So you don't have any knowledge of this

12 investigative-journalist-and-turned-parliamentarian Leshchenko and
13 his role in publicizing information about Paul Manafort?

14 A I mean, the name rings a bell, and I obviously was following,
15 as every -- all Americans interested in the news were following the
16 events related to Mr. Manafort. And I wasn't -- had no intense focus
17 in the way in which I had something to do about it, so --

18 Q But were you aware there was a Ukrainian -- a current
19 Ukrainian nexus during the 2016 time period?

20 A I didn't know that myself, no.

21 Q Are you familiar with a Ukraine Minister of Internal Affairs,
22 Avakov?

23 A Again, I've seen the name, yes.

24 Q And are you aware that he had some negative comments about
25 then-candidate Trump on social media outlets during the 2016 election?

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1 A I wasn't aware of that till --

2 Q And -- but have you become aware of it since?

3 A Again, I can't say I didn't see a piece of paper from the
4 media that had that. I had not focused on it until you mentioned it
5 now.

6 Q Okay. But, collectively, though, you're aware of these
7 various pieces of, you know, information that give rise to the question
8 of whether Ukrainians tried to exert some influence on the 2016
9 election?

10 A I know there's been lots of things in the media about it.
11 Again, it's not an area where I've been ever asked to focus on or --

12 Q Did you ever know whether or not the President had a genuine
13 belief that certain Ukrainians were advocating against him?

14 A I don't know that.

15 Q Okay. You indicated that, turning your attention back to
16 Ambassador Yovanovitch, that she emailed you on March 24th. I think,
17 in the email, if I'm not mistaken, she asserted that she could no longer
18 function in her role?

19 A She said that -- I'm paraphrasing because I don't have the
20 email in front of me, but the basic thrust of it was that things had
21 reached a point where, unless there was a strong State Department
22 support, public support of her, that it was becoming increasingly
23 untenable for her to continue to function.

24 Q Okay. And you had requested that she put together an email
25 or cable to you?

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1 A Yeah.

2 Q And I think you said that when you received that information,
3 it wasn't what you were expecting or what you had asked for?

4 A Well, I, of course, didn't really know what she had to say,
5 and we didn't want to talk on an open line about it, so I said, "Why
6 don't you send me information on what's happening to you by classified
7 email in the morning, and I -- you know, the next morning, and I'll
8 deal with it," because I was very confused by all this stuff.

9 And what I got was not so much data about what was happening but
10 informed speculation about the possible motivations, what they may or
11 may not be, of people behind the -- these allegations and the -- that's
12 what I received.

13 Q Okay. And I forget if you had mentioned to us here today
14 whether you circled back with her to get additional information or maybe
15 something more along the lines of what you were expecting or looking
16 for?

17 A No. It was clear that was what she had.

18 Q Okay.

19 A And so it's on that basis I briefed -- and this is also -- you
20 know, she -- given the time change, she had sent it earlier in the day
21 on Monday. This is now Monday. Her -- my conversation with her was
22 on a Sunday.

23 Overnight, I get this email. My meeting with the Secretary is
24 at 7:15, so I don't have a great amount of time to have a back-and-forth,
25 so I took it to the Secretary, said: This is what Ambassador

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1 Yovanovitch is saying, and she believes a statement is needed.

2 Q Okay. Turning your attention to Ambassador McKinley's
3 resignation. Did that catch you by surprise?

4 A It did.

5 Q He had no involvement in the discussion of Ambassador
6 Yovanovitch from the time period that she was brought home until the
7 July 25th call transcript is made public, correct?

8 A Yeah. I don't remember him being -- being involved in that.

9 Q And then there were -- the transcript was made public.
10 George Kent, I believe, had gotten to Ambassador McKinley about his
11 concerns. And then Ambassador McKinley, on the heels of that,
12 requested a statement of support for Yovanovitch? Does that
13 accurately --

14 A There were -- partially. There were two separate events,
15 if I can use that word, for emails. One was that, on September 28th,
16 Mike McKinley sent an email to several of our colleagues, including
17 myself, proposing a very strong statement supporting Ambassador
18 Yovanovitch. I believe he was reacting to the release of the
19 transcript of the phone call and the -- what came out in public.

20 And then -- and then, separately, and I think it may have been
21 the next week -- no, it was at the end of that week. On October 3rd,
22 George Kent wrote the memo -- and Mike circulated it -- and said that
23 he was very concerned about this treatment of one of our officers by
24 the lawyer.

25 Q Okay. And McKinley, he was in a little bit of an ombudsman

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1 type of role, is that a fair characterization, for the Foreign Service
2 Corps?

3 A Well, people look -- there were only two foreign service
4 officers in what we call the seventh floor in these jobs, and that was
5 Mike and myself.

6 Q But the Secretary relied on him to provide feedback from the
7 corps, right?

8 A Sure. Yes.

9 Q And so it seems that the actions that he took with regard
10 to this matter, you know, there were two, that -- two email instances,
11 and then he resigned.

12 Was there anything else that occurred or conversations that
13 happened that you subsequently learned as to what was -- that seems
14 abrupt, does it not?

15 A Yes. It was abrupt to me. I was quite surprised that he
16 was resigning. I had no inkling of it.

17 And he came to tell me that one morning during that week, I don't
18 remember which day it was. I think it was toward the latter half of
19 the week. That's what I know.

20 Q I mean, he's served the State Department for upwards of close
21 to 40 years, right, in a number of challenging posts.

22 A Yes.

23 Q He's dealt with diplomatic challenges for his entire career.

24 A Yes. He's a very distinguished Foreign Service officer.

25 Q And, you know, he's faced with what could be an internal set

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1 of diplomatic challenges here. And he had the platform. He was -- you
2 know, the Secretary invited him into the inner circle. I think the
3 Secretary has related publicly that his office was next door and he
4 could freely come and go.

5 Just trying to understand a little bit more why he, you know, sent
6 the two emails and then left.

7 A That's a very good question. I don't know the answer.

8 Q Okay. So you never had any talks with him about --

9 A Well, as I said, he previewed the fact that he had some -- he
10 didn't preview. He told me in the course of a conversation that he,
11 in fact, had submitted his resignation, which surprised me. And then,
12 when he was ready to go, he came down to my office to say goodbye.

13 Q When he told you he submitted his resignation, did you ask
14 him why, or has it really gotten to that point, should we talk about
15 this a little bit more, should we get Counselor Brechbuhl involved?

16 A He made clear that the decision was not something he really
17 wanted to talk about. He was unhappy, clearly. I can only speculate
18 further. He said it was -- at the time, he didn't really make very
19 clear why he was resigning, to be perfectly honest with you. He was
20 just very unhappy about things.

21 Q Okay. Now, is this consistent -- is this, like, State
22 Department culture where, you know, you just write a couple emails,
23 and then, if your concerns aren't allayed, you just go away, or --

24 A Well, I don't have the impression that he resigned as a result
25 of these emails --

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1 Q Okay.

2 A -- per se. In fact, the 10/3, 10/4 email came out long after
3 he told me he had submitted his resignation.

4 Q Okay.

5 A Not long, but, I mean, after that point.

6 I really just don't know really why. I wouldn't say it's normal
7 to -- I don't know what the normal way to resign is, but most people
8 plan it in advance.

9 Q Okay. So, at the time that he submitted his resignation,
10 he had only put forth the email about the statement of support regarding
11 the Ambassador?

12 A I guess. I don't know exactly when he submitted his
13 resignation to the Secretary, and I'm not sure he told me that.

14 Q Okay. Did you ever have any communications with Deputy
15 Secretary Sullivan or Ambassador Reeker or other key players in the
16 senior leadership structure about Ambassador McKinley?

17 A About Mike? I had a conversation with the Secretary of State
18 about it, and I mentioned to him that Mike seemed to me to be worked
19 into a very negative state of mind, based on one of the meetings I had
20 and the one in which he said that he had submitted his resignation.
21 And I said that it could be creating a problem --

22 Q Okay.

23 A -- for the morale of everyone -- you know, all those around
24 him.

25 Q Okay. And do you remember what the Secretary said in

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1 response to that?

2 A He didn't really react to it.

3 Q Okay. Turning back to Ambassador Taylor's statement, he
4 says in his statement about his -- the prospect that he would, in fact,
5 resign as well.

6 Did that catch you by surprise, that things had gotten so bad for
7 Ambassador Taylor during the pendency of the aid freeze that he wanted
8 to resign?

9 A Yes, I suppose. I mean, again, I only saw it based on the
10 revelations to the media that occurred.

11 I will say that he -- and I mentioned that he had emailed me at
12 the end of August. I was trying to find the notes here in which -- on
13 August 27, he had sent me an email, and he had said that if there was
14 a change of policy, it was subjunctive, that he wanted to remind me
15 that he had told the Secretary of State when they met that he
16 would -- there would be no real reason for him to be there, was the
17 way he put it.

18 And I was -- had a minor reaction to the fact that I was not in
19 the meeting with the Secretary, so I had not actually known that before,
20 but on August 27, that's what he emailed me about.

21 And he focused on three specific things that concerned him about
22 why there might be a shift in policy. He pointed to the President's
23 public comments about the possibility of inviting Russia back into the
24 G7-G8 process. He talked about the fact that there had been the
25 suspension or freeze of the military assistance. And he cited the fact

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1 that the President's meeting with President Zelensky had not yet
2 occurred.

3 Q And did you think it was a drastic move for Ambassador Taylor
4 to want to resign over those issues without having an opportunity to
5 work with the senior leadership in the Department to get a resolution
6 to some of his concerns?

7 A I didn't react so much to this message from him, because I
8 felt these things were going to be resolved. I mean, I didn't take -- I
9 thought, as I said, the State Department was not working on any plan
10 that involved Russia coming into the G7, so I didn't -- that didn't
11 strike me as an immediate thing that would prompt anyone to do anything.

12 And we were still working on a Zelensky-President meeting. And
13 the reason it had not occurred, as far as I knew, was based on what
14 the White House had said, which was the hurricane that hit the Carolinas
15 compelled the President to stay home and send the Vice President
16 instead.

17 And the third issue on security assistance was a serious issue,
18 but we were working on it.

19 Q Right. Okay. Did George Kent ever bring to your attention
20 the concerns that Ambassador Taylor had were so serious that he was
21 contemplating resigning?

22 A Not that I remember.

23 Q How about Reeker? Did he?

24 A Not that I remember.

25 Q Okay. So the prospect of him resigning is something that

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1 you just found out about once the statement was put forward?

2 A That's correct.

3 Q Okay.

4 A Other than this phrase, that "there would be no reason for
5 me to be here," which is a little bit ambiguous.

6 Q Okay. But you never zeroed in on that as a problem that you
7 had to go to work on?

8 A I didn't sense there was some imminent thing that was going
9 to prompt him to present his resignation.

10 Q Did you instruct any of your deputies, the folks that work
11 for you, whether it be Kent or Reeker, to go work on Taylor and find
12 out what his concerns are and see if there's anything that needs to
13 be done to keep him?

14 A No. I mean, he -- I didn't sense that there was an imminent
15 problem, to be honest with you. He emailed me. He may have copied
16 others on the email. I don't know.

17 As I said, two of these three -- one of the issues struck me as
18 something that was not -- you know, something we were working on, so
19 I didn't understand why he was concerned about it, and the other two,
20 there were strategies to try to make them happen.

21 So I was focused on dealing with the substantive problems, less
22 on his frame of mind.

23 Q Okay. So, if he was actually going to resign and there was
24 an imminent threat, that would be something that you would get more
25 involved with?

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1 A Probably.

2 Q Okay.

3 MR. MEADOWS: Can I follow up?

4 MR. CASTOR: Mr. Meadows.

5 MR. MEADOWS: So, Ambassador, indeed, the U.S. Ukraine policy has
6 not changed?

7 AMBASSADOR HALE: That's correct.

8 MR. MEADOWS: And our policy towards Ukraine in terms of aid to
9 Ukraine has actually become more robust over time. Is that correct?

10 AMBASSADOR HALE: I don't know that I've watched it long enough
11 to say it's been more robust, but it's certainly very robust.

12 MR. MEADOWS: Okay. So, if Ambassador Taylor was alleging that
13 he wanted to resign and suggesting that he would resign if
14 Ukrainian -- U.S.-Ukrainian policy shifted, and it was with those three
15 points, I think it's -- would it be correct to assume that, one, the
16 policy hasn't changed, and, two, the issues that he raised there were
17 really not issues that would warrant his resignation? Is that correct?

18 AMBASSADOR HALE: That's correct.

19 BY MR. CASTOR:

20 Q You identified a couple emails that -- from George Kent that
21 had made their way to you, either through Ambassador McKinley or through
22 Ambassador Reeker. How many -- were there just two from George Kent?

23 A Well, there was just -- the one from Ambassador McKinley is
24 just the one email in his record on this unfortunate exchange with the
25 lawyer from the legal department.

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1 Q Okay.

2 A In the late March timeframe, there are a large number of
3 emails related to the press guidance and the allegations about the
4 Ambassador. Some of them were being forwarded to me. It was a real
5 mess of -- mass of information coming to me at that time on something
6 I, frankly, had a hard time fully comprehending, again, which is why
7 I reached out to Ambassador Yovanovitch when she did email me, to try
8 and get a senior office officer on the ground's explanation to me, best
9 explanation as to what was happening.

10 Q When George Kent was before us, he recounted a number of
11 instances where he prepared memos to file over various things that he
12 said concerned him.

13 Did any of those memos to file, or whether they took the form of
14 email, make their way to you?

15 A I really don't remember that. I remember the memo for the
16 file on the issue of the meeting with the lawyer. And during the period
17 of late March, there were a number of emails that he did express some
18 views on -- speculated on what was happening, I think I've already
19 discussed that, in terms of these two journalists. I remember that
20 email well. And he had some ideas on how to counter the allegations.
21 That's what I remember.

22 Q And have you known George Kent?

23 A No. I didn't know him until I assumed this position.

24 Q Okay.

25 MR. MEADOWS: Ambassador, did I mishear? I think maybe in the

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1 first hour earlier today when we were talking about that particular
2 timeframe, and that timeframe being, I guess, that May timeframe where
3 all of this was going on, and there was a concern and wanting a statement
4 that was put out, did I hear you correctly that there were some Ukrainian
5 initiatives that the Embassy put forth in terms of confidence in the
6 ambassador in Ukraine? Was it -- did you say that earlier?

7 AMBASSADOR HALE: This would have been in late March --

8 MR. MEADOWS: Late March. I apologize.

9 AMBASSADOR HALE: -- when this thing was cresting.

10 MR. MEADOWS: Yeah.

11 AMBASSADOR HALE: And we did put out a statement that used the
12 word "outright fabrication" to make clear that we had no -- there was
13 nothing behind this story that we had put a "do not prosecute" list
14 in front of the Ukrainian judicial authorities.

15 MR. MEADOWS: And that seemed, I think -- according to your
16 testimony earlier today, that kind of softened everything, at least
17 in the Ukraine. Is that correct?

18 AMBASSADOR HALE: In the Ukraine. Ambassador Yovanovitch said
19 that that statement had put them on stable ground inside Ukraine. The
20 problem was what was happening in the media in the United States.

21 MR. MEADOWS: But I guess what was happening here in the United
22 States and the impact on Ukraine largely are disconnected, are they
23 not? I mean, they may be important to us as Americans, but I don't
24 know Ukrainians are up watching Fox News.

25 AMBASSADOR HALE: Well, the interpretation I put on it at the

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1 time, which may or may not have been correct, was that she said that
2 the statement helped deal with her issues in Ukraine --

3 MR. MEADOWS: Right.

4 AMBASSADOR HALE: -- but the social media and other stories back
5 here also seeped into Ukraine.

6 MR. MEADOWS: Okay.

7 AMBASSADOR HALE: I mean, it was not as if there was a hermetic
8 seal here.

9 MR. MEADOWS: Okay.

10 AMBASSADOR HALE: And that needed to be addressed, and she
11 couldn't do it herself, you see. It was all back here.

12 MR. MEADOWS: So what tangible thing was being impacted in
13 Ukraine in terms of her ability to be a diplomat? Did she -- I mean,
14 other than reputation, I mean, was there something she was trying to
15 negotiate that she couldn't negotiate?

16 AMBASSADOR HALE: She didn't elaborate.

17 MR. MEADOWS: So you're not aware of anything in terms of a
18 concrete problem other than a perceived problem that was being
19 identified?

20 AMBASSADOR HALE: A reputational problem.

21 MR. MEADOWS: So this was more about Ambassador Yovanovitch's
22 reputation than it was actually a deployment of diplomatic duties. Is
23 that correct?

24 AMBASSADOR HALE: Yes, so it may be hard to distinguish
25 than -- and as a practical matter when you're in the field. I mean,

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1 an ambassador has a great deal of authority. An ambassador needs to
2 be able to -- everyone knows is speaking for the authority of the
3 President and has the confidence of the President. That's why a loss
4 of confidence is so damaging to an ambassador, and there's no point
5 in trying to resist that.

6 So the reputation does matter, I guess is what I'm trying to say,
7 to your functionality.

8 MR. MEADOWS: So, based on all of this that was going back and
9 forth and the decision to extend -- and I understand that, earlier,
10 you were talking about there was no one to replace her. Is that
11 correct?

12 AMBASSADOR HALE: There was no one lined up and confirmed.

13 MR. MEADOWS: And so the decision to extend her stay was more one
14 of just logistics until she could be replaced? Is that correct?

15 AMBASSADOR HALE: Yeah. I thought she was doing a good job, an
16 excellent job. And we had a gap, which was not desirable, particularly
17 given all of the complexities of Ukraine and all of the uncertainties.
18 At that time, Presidential elections had not even occurred. So I'm
19 a cautious person. I want to try to make sure that we're as staffed
20 as we can be to deal with anything unexpected or even expected, so I
21 suggested the idea to her. I had not cleared it with anybody.

22 And I hesitate to even call it a decision because I don't recollect
23 that it ever really --

24 MR. MEADOWS: It was a recommendation?

25 AMBASSADOR HALE: Yeah. It was just an idea that --

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1 MR. MEADOWS: Yeah. "I've got this idea that we may -- you know,
2 since you're coming back, we" --

3 AMBASSADOR HALE: Yeah.

4 MR. MEADOWS: -- "we may ask you to stay on. Would you be willing
5 to do that?" Is that --

6 AMBASSADOR HALE: That's correct.

7 MR. MEADOWS: -- how you would characterize it?

8 AMBASSADOR HALE: That's right. And I have to be cognizant that,
9 when I say things like that and because of my position, they can take
10 on a certain momentum. And I want --

11 MR. MEADOWS: Because you're on the seventh floor?

12 AMBASSADOR HALE: Yeah. And I wanted that. I mean, I thought
13 that was a good idea. So I said -- when she came back and said, "Yes,"
14 I turned it over to our European bureau to work with the personnel
15 section to see if it would fly, and I expected it to come back up the
16 system.

17 MR. MEADOWS: Yeah. But you don't believe today that she was
18 under the impression that she might be there for another year?

19 AMBASSADOR HALE: No. I talked about through the parliamentary
20 elections in October.

21 MR. MEADOWS: Okay.

22 BY MR. CASTOR:

23 Q Was there a time when you were getting these emails from
24 George Kent in the March-April timeframe that you related to Reeker,
25 who advised Kent, to keep his head down?

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1 A Begin the question again. I'm sorry. I missed the
2 beginning.

3 Q We've been discussing the various emails that George Kent
4 was --

5 A Right.

6 Q -- sending up.

7 A Yeah.

8 Q I think you said massive amount? Was that --

9 A No, not from George. I said there was a mass of information.

10 Q Oh, massive information. Okay.

11 A A mass, a large body of information coming to me.

12 Q Okay. Was there ever a time when you told Reeker to have
13 Kent keep his head down?

14 A Yes. I was concerned that -- George himself was the target
15 of some of these allegations, and we were already dealing with all these
16 problems for our Ambassador. I did not want another officer to
17 encounter this kind of turbulence. So I did suggest to Phil that he
18 talk to George about keeping his head down.

19 Q Okay. And what would that entail? Just not having as many
20 meetings with Ukrainians or --

21 A Yeah. That would -- might be one of them. This is just a
22 time, I think, to be careful, to have everything considered carefully
23 and not solo, that there be, you know, up the chain, there be an
24 evaluation of what would be smart and what -- make sure nothing would
25 be misinterpreted. That was my intent.

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1 Q So was it encouraging Kent to -- if there were decisions that
2 would ordinarily be made at the DAS level, to perhaps raise them to
3 the Assistant Secretary level?

4 A I wasn't very specific. I just wanted them to know that this
5 was a time to be extra cautious and careful.

6 Q Okay.

7 A There were a lot of allegations flying around, and I did not
8 want another officer to suffer what our ambassador was suffering.

9 Q Okay. And at the time, Kent was in D.C., right?

10 A He traveled a fair amount, but he was assigned in D.C., yes.

11 Q Okay. And do you remember what the allegations were
12 regarding him?

13 A Well, again, these details are hard to grasp, but he was DCM
14 the previous year, so I think that the allegations related to -- went
15 back to the "do not prosecute" list and that he'd somehow played a role
16 in that.

17 Q Okay. Fair enough.

18 We talked about one meeting that you had with Fiona Hill. Any
19 other meetings that you had or communications with the NSC regarding
20 the facts here?

21 A I had two meetings with Fiona Hill. I'll just have to take
22 a moment to cover my notes. There was the one that we discussed on
23 May 10, and then I met her again -- well, actually, the May 10,
24 I -- according to my notes, and this is a reconstruction of research
25 based on documents, I received a briefing note for a meeting I was

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1 scheduled to have with Fiona Hill on May 10, but in fact what happened
2 was a secure call with Fiona Hill.

3 I really don't remember what the content of the call was. Again,
4 I was focused more on Russia.

5 And then, as was discussed in the earlier session, on May 16, I
6 met with Fiona Hill, and on the agenda was the Presidential
7 delegation -- it wasn't a formal agenda, but the note from my staff
8 said this is a good question to ask about the status of the Presidential
9 delegation. And then we had -- I believe we had a discussion on Russia
10 that I've already outlined.

11 Q Okay. Any other meetings with NSC officials relating to
12 these events?

13 A No. Not until the July 25 visit meeting of the small group.

14 Q Right. How about discussions with Tim Morrison,
15 her successor?

16 A July 26 meeting.

17 I didn't meet Tim Morrison until Mr. Kupperman invited me to lunch
18 with himself at the NSC sometime in September, because he and I had
19 not had a chance to have a discussion. I, frankly, thought it was going
20 to be a one-on-one lunch, but Tim Morrison and John Erath, another
21 officer in the European Affairs part of the NSC, attended that lunch.

22 Q Okay.

23 A We talked about -- the reason for the meeting, a "get to know
24 you" partly, but also I was going to Belarus, and they wanted to just
25 discuss that and make sure that we were coordinated.

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1 Q Okay. At that lunch, did they raise any concerns about the
2 Ukraine matters?

3 A No.

4 Q Was it even brought up?

5 A I have no recollection of the topic of Ukraine coming up.
6 It could have, but I don't believe it did. Certainly none of these
7 things that are the focus of this committee.

8 We discussed my trip. I had taken a trip to Moldova. We
9 discussed that. Next to Ukraine, I don't know, there may have been
10 a discussion.

11 There was actually -- I will -- my memory's just -- on the issue
12 of Belarus, they informed me that Ambassador Bolton had a strong
13 interest in trying to promote three-way energy cooperation between
14 Ukraine, Poland, and Belarus. I was not -- I was aware of that issue,
15 but I was not aware that Ambassador Bolton had a strong desire to see
16 us promote that, and I did raise it, as the NSC had hoped I would, in
17 Belarus.

18 Q Okay. Any meetings with Ambassador Bolton?

19 A No. Ambassador Bolton and I rarely would -- you know, he's
20 above me in the rank order, so we didn't have very many exchanges. And
21 I don't remember anything that summer on this topic.

22 Q Any other discussions with Dr. Kupperman?

23 A No.

24 Q Do you think all the focus that this investigation has
25 brought on the U.S.-Ukraine relationship is a good thing or a bad thing?

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1 A Well, I believe that our policy toward Ukraine is sound. And
2 I believe that we are continuing to pursue that policy. And I believe
3 that the bases of our relationship, bilateral relationship continue
4 to be strong.

5 Q The intense focus that this investigation has brought to the
6 Ukrainian relationship, does that present some challenges?

7 A I think it's too early to say, frankly, what impact it is
8 having.

9 Q Are you surprised, in the wake of the July 25th call, that
10 this has all ensued?

11 A Was I surprised?

12 Q Yes.

13 A I'm sorry. Can you repeat the whole question?

14 Q In the wake of the July 25th call transcript --

15 A Yes.

16 Q -- and what happened on the call, are you surprised that all
17 of this has ensued?

18 A Well, it's -- yes. I mean, during that period, it wasn't
19 just the phone call, but then the information that was revealed about
20 the conduct, what people were pursuing, were allegedly pursuing with
21 Ukrainian officials, it did surprise me. I didn't know any of that
22 was happening.

23 MR. CASTOR: Mr. Perry.

24 MR. PERRY: Mr. Ambassador, Scott Perry from Pennsylvania.

25 First of all, thanks for your longstanding service and sacrifices on

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1 behalf of our country. Being away from home a lot is hard on anybody.

2 I want to go back to something we talked about in the last round.
3 You're generally aware that the President has some -- I'm going to
4 describe it as an aversion, but I don't want to put words in your
5 mouth -- to foreign aid, or at least he has concerns about foreign aid,
6 the amounts of foreign aid. I mean, is that a general statement you
7 could agree with?

8 AMBASSADOR HALE: Yes.

9 MR. PERRY: And in light of that, you're aware that the last three
10 White House budgets made significant changes to foreign aid amounts?

11 AMBASSADOR HALE: [Nonverbal response.]

12 MR. PERRY: Right? So that kind of proves that -- that out?

13 Are you also aware that the President's looking to unveil an
14 overhaul of how we should distribute foreign aid.

15 AMBASSADOR HALE: Yes. The Foreign Assistance Review is
16 pending, and I have been involved somewhat in that.

17 MR. PERRY: Are you familiar with the U.N. General Assembly quote
18 where the President said, "Moving forward, we are only going to give
19 foreign aid to those who respect us and, frankly, are our friends,"
20 unquote? Have you heard that before?

21 AMBASSADOR HALE: Yes. I attended that speech.

22 MR. PERRY: And are you familiar that there's a general theme
23 about the importance of countries eventually graduating off of U.S.
24 foreign assistance completely that would be envisioned in the
25 President's new strategy or policy, foreign policy?

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1 AMBASSADOR HALE: Yes. That's been discussed in our agency as
2 part of that.

3 MR. PERRY: Okay. And an OMB, Office of Management and Budget,
4 spokesperson described themselves as having an obligation to ensure
5 American taxpayer money is being used widely.

6 I mean, would you dispute that description of one of their roles?

7 AMBASSADOR HALE: I would not dispute it.

8 MR. PERRY: Yes. You referred to the fact that the OMB asked
9 agencies for a balance sheet of foreign aid projects early on in the
10 last round. If I can --

11 AMBASSADOR HALE: I don't know that myself. That doesn't
12 surprise me. That would be a normal give and take, given the review.

13 MR. PERRY: If that were, maybe this helps, I don't know, are you
14 aware that the request included eight areas that cover a variety of
15 assistance: international organizations; peacekeeping operations
16 and activities; international narcotics control and law enforcement;
17 development and aid; assistance for Europe, Asia and Central Asia;
18 economic support funding; foreign military financing programs; and
19 global health programs?

20 Are you familiar with any of that, or does any of that sound like
21 it would be out of the realm of what the review would include?

22 AMBASSADOR HALE: The review, yes, that -- those are among the
23 topics, the headlines of how we sort of organize the aid in order to
24 understand it.

25 MR. PERRY: Okay.

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1 AMBASSADOR HALE: Yes, sir.

2 MR. PERRY: Are you aware that, last year, the OMB asked the State
3 Department and USAID to provide similar balance sheets of unobligated
4 projects just 6 weeks before the end of the budget year?

5 AMBASSADOR HALE: I'm not the budget guy. I don't get involved
6 in this level of detail, but, again, that sounds normal; particularly
7 as you reach the end of the fiscal year, then you want to deal with
8 your unobligated --

9 MR. PERRY: Six weeks, if you're looking at 6 weeks prior to the
10 end of the fiscal year, that's kind of almost in line with what occurred
11 this year, but that happened actually in 2018, you know, the review
12 that I brought up there.

13 Are you familiar that, on August 3rd, the budget office sent a
14 letter to the State Department and the AID agency ordering them to
15 freeze spending on all funds in the 10 broad foreign aid accounts that
16 I previously mentioned? That was August 3rd. So that's the -- of
17 this year -- you're familiar with that?

18 AMBASSADOR HALE: I remember hearing something about it, yes.

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1 [2:00 p.m.]

2 MR. PERRY: So that kind of falls in line with that. And are you
3 familiar with -- you might not be familiar with this, but I will just
4 ask if you are familiar with a New York Times article that reported
5 that the President who often talks about cutting spending ultimately
6 decided the fight over \$4 billion was not worth it because of the
7 pressure campaign from Mr. Pompeo and a barrage of calls from his allies
8 on Capitol Hill.

9 Maybe you are not familiar with the article or the statement, but
10 does that sound plausible?

11 AMBASSADOR HALE: Well, I know that I don't have any information
12 on conversations between the Secretary of State and the President on
13 this topic, to be honest with you.

14 MR. PERRY: Okay. Fair enough. Let me ask you this: Do you
15 know of any other Federal agency known to have received a similar letter
16 from OMB directing it to freeze spending while the accounting was made?

17 AMBASSADOR HALE: I don't know, and I don't think it's unusual
18 for me not to know about other agencies, so --

19 MR. PERRY: Okay. Thank you.

20 AMBASSADOR HALE: Thank you.

21 THE CHAIRMAN: Ambassador, I think we have about 20 or 30 minutes
22 more left. I don't know if the minority contemplates much more after
23 that.

24 MR. CASTOR: No.

25 THE CHAIRMAN: Do you want to just power through it, or do you

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1 want to break?

2 AMBASSADOR HALE: I'm here to go.

3 THE CHAIRMAN: Okay. Why don't we continue then. Let me just
4 pick up where my colleague in the minority left off.

5 In terms of the chronology, are you aware, Ambassador, that prior
6 to lifting the hold on the military assistance for Ukraine, the White
7 House was informed of the existence of the whistleblower complaint and
8 that Congress was doing an investigation into these issues?

9 AMBASSADOR HALE: I didn't know that.

10 THE CHAIRMAN: Had the -- I think you testified that, although
11 it was conveyed by the representative of OMB that the President ordered
12 this aid suspended, no reason was given for the suspension, correct?

13 AMBASSADOR HALE: That is correct.

14 THE CHAIRMAN: And had that suspension persisted, that would have
15 been a fundamental change in Ukraine policy, would it not?

16 AMBASSADOR HALE: Yes, it was contrary to our policy to not be
17 able to continue to support the Ukrainian military as they dealt with
18 Russia.

19 THE CHAIRMAN: And, in fact, because the President delayed the
20 Ukraine aid as long as he did, it was necessary for an act of Congress
21 to step in so that Ukraine could get the assistance that the clock would
22 have otherwise prohibited. Isn't that right?

23 AMBASSADOR HALE: I'm not expert on the ins and outs of
24 legislation. All my focus was on trying to break through this freeze.
25 And I attended this deputies meeting. I informed the Secretary of

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1 State, and then we waited, and we waited.

2 THE CHAIRMAN: But are you familiar with the fact that Congress
3 actually had to pass a law to effectuate this aid because it was withheld
4 as long as it was?

5 AMBASSADOR HALE: I'm sorry, sir, to interrupt. I think I saw
6 something in the news about that.

7 THE CHAIRMAN: And that even though -- after Congress took that
8 act, there was still in excess, I believe, of \$10 million that could
9 not be allocated to Ukraine for its defense because the aid was withheld
10 as long as it was by the President?

11 AMBASSADOR HALE: I'm not familiar with that level of detail.

12 THE CHAIRMAN: You mentioned that Ambassador McKinley didn't
13 discuss with you at any length the reasons for his resignation. Is
14 that right?

15 AMBASSADOR HALE: Yes.

16 THE CHAIRMAN: Would it surprise you that Ambassador McKinley was
17 concerned about the lack of support from Ambassador Yovanovitch and
18 what that might do to morale in the Department?

19 AMBASSADOR HALE: Oh, he was very concerned about that, and that
20 had been the subject of the email, of course, that he sent to me on
21 the 28th of May -- of September.

22 THE CHAIRMAN: And if he raised this concern repeatedly with
23 either Mr. Brechbuhl or with the Secretary himself, he would not have
24 necessarily included you in those conversations, right?

25 AMBASSADOR HALE: No, I was not included.

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1 THE CHAIRMAN: And if he found that the relief that he was seeking
2 was unavailing from the Secretary, he wouldn't necessarily have shared
3 that with you, would he?

4 AMBASSADOR HALE: No, I mean, in the conversation he had, in which
5 he finally told me he was resigning -- it came at the end of the
6 conversation -- it was clear he was very concerned about the fact that
7 the State Department had not issued a statement of support for
8 Ambassador Yovanovitch.

9 THE CHAIRMAN: You made a comment a few minutes ago about what
10 our ambassador was suffering, I think were your words.

11 Tell me a little bit about your appreciation for what Ambassador
12 Yovanovitch went through.

13 AMBASSADOR HALE: Well, she was dealing with a series of
14 allegations to which we basically said: Unless we at the State
15 Department -- unless there is evidence to back this up, we don't credit
16 these allegations.

17 But the allegations continued to be made, creating an extremely
18 difficult situation, and any of us can put ourselves in that position
19 to know how difficult that would be.

20 THE CHAIRMAN: On that point, Ambassador, did it occur to you that
21 this might have happened to you as an ambassador, there would be a smear
22 campaign against you somewhere when you were serving at a post overseas
23 and the State Department wouldn't provide support?

24 Did it occur to you that that could have happened to you?

25 AMBASSADOR HALE: Well, I was advocating for a strong statement

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1 of support.

2 THE CHAIRMAN: So you could relate to the Ambassador's position?

3 AMBASSADOR HALE: Of course, yes.

4 THE CHAIRMAN: And did it occur to you as well that ambassadors
5 around the world who saw how Ambassador Yovanovitch was treated and
6 the lack of support she got ultimately from the seventh floor might
7 suffer morale problems wondering whether they might be similarly
8 treated or thrown under the bus.

9 Did that concern you?

10 AMBASSADOR HALE: I was focused really on trying to get a
11 statement of support for Ambassador Yovanovitch so she could stay there
12 and continue to do the good work that she was doing. I'm certainly
13 aware that, in the absence of such a statement, that people might draw
14 various conclusions.

15 THE CHAIRMAN: Well, Ambassador McKinley was concerned about
16 what that might do for the morale of the Department. Didn't that
17 concern you as well?

18 AMBASSADOR HALE: Yes, of course.

19 THE CHAIRMAN: And, indeed, in terms of the other personnel at
20 the mission in the Embassy in Ukraine, did it concern you what it would
21 do to the morale of people in the diplomatic corps in Ukraine, our
22 employees seeing how she was treated?

23 AMBASSADOR HALE: I had many concerns, which is why I was
24 advocating for a strong statement of support for her. I wanted to be
25 sure that she could continue to be as an effective ambassador as she

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1 could be. I was also concerned about the effect that it would have
2 on the moral of our people wherever they may be.

3 THE CHAIRMAN: One of the other concerns that Ambassador McKinley
4 had was over what you would come to later learn about, that is, efforts
5 to get the State Department involved in domestic American politics.

6 Did that concern you as well?

7 AMBASSADOR HALE: We all know, those of us who have served long
8 enough in the State Department, to know that there is a separation
9 between domestic political activities and the conduct of our foreign
10 policy.

11 THE CHAIRMAN: At least there should be, right?

12 AMBASSADOR HALE: That there should be.

13 THE CHAIRMAN: And if these were the two bases on which
14 Mr. McKinley decided that he could no longer serve in the State
15 Department, that wouldn't surprise you, would it?

16 AMBASSADOR HALE: I don't -- again, I don't know specifically why
17 he resigned. I know that he was very upset about what was happening.
18 I don't want to speculate.

19 THE CHAIRMAN: Ambassador Taylor sent a cable, I think, at the
20 suggestion of Mr. Bolton, to the Secretary of State in the first person.
21 That's unusual, isn't it, to send a first-person cable?

22 AMBASSADOR HALE: It does happen. It's something ambassadors,
23 good ambassadors, would think carefully about doing. You don't want
24 to overuse that channel. But I've done it. I know it happens. It
25 is a sign that an ambassador wants to make sure -- there's an issue

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1 that is concerning him in some way that he wants to make sure it gets
2 attention.

3 THE CHAIRMAN: Now, that cable is one of the many documents that
4 the State Department has refused to provide to the committee. What
5 can you tell us about that cable in an unclassified setting?

6 AMBASSADOR HALE: Yes. Although I, again, reread it to
7 familiarize myself with it to prepare for today, and it struck me as
8 an extremely professional and well-argued case for continuing our
9 security assistance for Ukraine, laying out all of the pros and all
10 of the cons if we were not to do that.

11 THE CHAIRMAN: And what else did it cover in the cable?

12 AMBASSADOR HALE: That was the subject of the cable.

13 THE CHAIRMAN: Were the concerns about why it was being withheld
14 expressed in the cable?

15 AMBASSADOR HALE: No, not that I recall.

16 THE CHAIRMAN: And there were reports that the Secretary of State
17 carried that cable with him into the White House. Do you know anything
18 about that?

19 AMBASSADOR HALE: I don't.

20 THE CHAIRMAN: Nick.

21 BY MR. MITCHELL:

22 Q You were asked some questions earlier from my colleagues in
23 the minority about a meeting between Secretary Pompeo and President
24 Trump at the beginning of September. Do you recall that?

25 A They meet -- I don't recall a specific meeting. They

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1 meet -- they have regular meetings all the time.

2 Q Do you know whether Secretary Pompeo met with President Trump
3 about this cable?

4 A I don't.

5 Q Do you know whether they met at the beginning of September
6 regarding security assistance?

7 A I don't. But, again, I would go back to the note that I sent
8 to the Secretary's staff for the Secretary after the small deputies
9 meeting with my advice, or at least my assessment -- I should put it
10 that way -- that because we were unable to resolve it at the deputies
11 level, that this would have to be elevated to the principals level,
12 meaning the Cabinet Secretaries level, and because of OMB's position
13 as described, being directed by the President, that it was unlikely
14 to be resolved at the principals level, and therefore, ultimately,
15 those immediately involved -- probably including Secretary
16 Pompeo -- would have to take this to the President.

17 That was my assessment if we were going to get this resolved. So,
18 if the thrust of your questioning is, did the Secretary go back to the
19 President on this, I don't know that for a fact, but it does not surprise
20 me that he did so.

21 Q Are you familiar with a meeting on or about August 16 at
22 Bedminster in which the principals gathered and discussed Ukraine
23 security assistance?

24 A Now that you mention, I do remember that there was a meeting
25 up there. I don't remember that Ukraine assistance was on the agenda,

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1 but, again, I am not surprised. It was a pending issue for discussion.

2 Q But you didn't talk to anybody who attended that meeting
3 about what was discussed?

4 A I don't remember getting a readout on it.

5 Q Do you recall preparing Secretary Pompeo for the Bedminster
6 meeting?

7 A No.

8 Q Did you see any materials that were provided to Secretary
9 Pompeo in advance of that meeting for his preparation?

10 A I may have. I can't remember it. Can you remind me of the
11 date?

12 Q Mid-August. On or about August 16?

13 A I just -- August 16, okay. I just wanted to mention I had
14 some foreign travel in that time period. I was in the U.S. on the 16th.

15 Q Switching gears a little bit, when was the first time that
16 you became aware that Ambassador Volker was in communication with Rudy
17 Giuliani in or about the middle of July of last year -- of this year?

18 A I found out about it when all of this emerged from the
19 whistleblower and the subsequent stuff that went into the media out
20 of the investigation and whatnot.

21 Q Okay. And when did you first learn that Ambassador Volker
22 had introduced Rudy Giuliani to Mr. Yermak?

23 A Again, when this all came out in the media.

24 Q Are you aware of an August 22, 2019, State Department
25 spokesperson statement regarding Mr. Giuliani and his communications

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1 with Ambassador Volker and introduction to Mr. Yermak?

2 A No, I'm not familiar with that.

3 MR. MITCHELL: I'm going to hand you what we will mark as
4 exhibit 2.

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

7 BY MR. MITCHELL:

8 Q Let me know when you have had a chance to read that document.

9 A Yeah, I have -- I don't remember seeing it at the time, and
10 I did not -- this was not something I looked at in preparation for today.
11 I will say that I was traveling in Uzbekistan and Kazakhstan from
12 August 18 to 24. It's not unusual. It's very hard to get -- I can't
13 account for why I didn't see it, but it's perhaps related to that.

14 Q But this spokesperson's statement says that Ambassador
15 Volker has confirmed that at Presidential Adviser Andriy Yermak's
16 request, Volker put Yermak in direct contact with Mr. Giuliani. Do
17 you see that?

18 A Yes, I do see that.

19 Q Okay. But you're saying that you did not know that that
20 occurred at the time?

21 A That's right.

22 Q And you also say that you did not know at the time of the
23 May 23rd debrief meeting with the Presidential delegation that the
24 President directed Ambassador Volker, Ambassador Sondland, and others
25 to talk to Rudy about these Ukraine matters?

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1 A I did not know that. The only information I had about that
2 meeting was what my staff provided to me. It is a readout that I
3 summarized for you earlier today, and it did not include that point.

4 Q When did you first become aware that Ambassador Volker was
5 in communication with Andriy Yermak immediately before President
6 Trump's July 25th call with President Zelensky?

7 A Well, I've been following the information that's come out
8 into the media about all of this. I wasn't necessarily tracking each
9 data point in it. So, if it came out in that context, I must have seen
10 it.

11 Q And when you say all of the information that's come out within
12 the media, do you mean within the last couple of weeks?

13 A Yeah. The stuff since the whistleblower's action.

14 Q And the investigation that's being conducted --

15 A That's right.

16 Q -- by these committees?

17 A That's correct.

18 Q And when did you first learn that Andriy Yermak met with Rudy
19 Giuliani at the beginning of August in Madrid?

20 A Again, I didn't know it at the time. This information about
21 these various meetings has come out during the investigation. Again,
22 I've not, you know, I'm not investigating, so I'm not keeping track
23 of each data point about his actions, so --

24 Q Did you know on or about August 9th and 13th that Ambassador
25 Volker, Sondland, and Yermak were discussing a statement by -- or a

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1 potential statement by President Zelensky or perhaps even the
2 prosecutor general about conducting investigations into Ukrainian
3 interference in the 2016 elections as well as Burisma?

4 A Again, I learned about this as the information became public
5 as a result of this investigation.

6 Q But at the time that Ambassador Volker and Ambassador
7 Sondland were engaging with Mr. Yermak and Rudy Giuliani, it was your
8 understanding that these individuals were taking point on
9 Ukraine-related matters at the direction of the President, correct?

10 A That the members of that -- that composed that delegation
11 had been tasked to lead the effort on the goals the President outlined
12 or endorsed.

13 Q And I think you testified earlier a couple of times that
14 Ambassador Volker you considered to be a professional and you,
15 therefore, trusted his ability to carry out these policies that had
16 been dictated by the President?

17 A Correct.

18 Q Now, you know sitting here today that Ambassador Volker was
19 in contact with Rudy Giuliani, put him in contact with Mr. Yermak, that
20 they were working on this statement to have investigations conducted
21 in the 2016 elections in Burisma and Biden.

22 Do these efforts by Ambassador Volker and Ambassador Sondland
23 reflect any of these three policy goals that you saw at the readout
24 of the May 23rd meeting?

25 A I don't think I have enough direct information to really

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1 comment on that. All I've seen is these testimony transcripts that
2 have been released. I haven't even been able to read all of them. The
3 ones that came out yesterday were so extensive.

4 I'm reluctant to comment on that. I can restate what our policy
5 goals are, obviously, which is that we want to build -- help Ukraine
6 become a resilient democracy so that it can counter the intimidation
7 and military assault from Russia. And part of being a resilient state,
8 of course, means that they are aggressively combatting the corruption
9 that is endemic in their country, and the oligarchic control over the
10 economy, that they are on a strong reform agenda, and that they are
11 able to benefit from U.S. investment, including in their energy sector.

12 THE CHAIRMAN: If I could develop on that, but you do distinguish,
13 don't you, Ambassador, between all of those laudable U.S. policy goals
14 in Ukraine and trying to get Ukraine to be involved in U.S. domestic
15 politics? You do distinguish between those two, don't you?

16 AMBASSADOR HALE: Yes.

17 THE CHAIRMAN: While they are conferring, let me just ask another
18 question.

19 In the call record -- which I take it you weren't aware of until
20 it was made public, correct?

21 AMBASSADOR HALE: Correct.

22 THE CHAIRMAN: -- the President, referring to Ambassador
23 Yovanovitch says, quote: She's going to go through some things, end
24 quote. What did you think when you read that for the first time?

25 AMBASSADOR HALE: It concerned me. I was not aware that there

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1 was anything that was happening in consequence of that, again, bearing
2 in mind that there's a passage of time from when that call occurred
3 to when it was made public.

4 And during that period of time, and I realize reflecting back on
5 it, nothing was -- that was not an operational comment that had been
6 operationalized in any way.

7 THE CHAIRMAN: Well, it hadn't been operationalized in terms of
8 anything through the State Department, correct?

9 AMBASSADOR HALE: Right.

10 THE CHAIRMAN: I take it, though, you didn't know what things she
11 was going to go through, according to the President?

12 AMBASSADOR HALE: No, I could not interpret that.

13 THE CHAIRMAN: Had the President said that Ambassador Hale is
14 going to go through some things, I take it that would have alarmed you?

15 AMBASSADOR HALE: Of course.

16 BY MR. MITCHELL:

17 Q You testified earlier that you had met Ambassador Sondland
18 in Brussels?

19 A Yes.

20 Q And when was that?

21 A I was in France, Morocco, and Belgium April 2nd to
22 April 11th, so it would have been on that trip.

23 Q Do you recall discussing any Ukraine-related matters with
24 Ambassador Sondland on that trip?

25 A No.

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1 Q What about any time thereafter?

2 A I couldn't make a categorical statement. I would not be able
3 to make a categorical statement that we had never discussed Ukraine.
4 But it -- in my recollection of my discussions with him, nothing out
5 of the ordinary stuck is what I can say.

6 Q All right. So Ambassador Sondland didn't tell you about any
7 of these activities that I was asking questions about earlier with
8 Mr. Yermak or Mr. Volker in the middle of July.

9 A I have no -- yes, I do not remember, and I do not believe
10 that I heard any of that.

11 Q Or anything that Ambassador Sondland would have done in
12 August regarding this statement about investigations, he also did not
13 keep you apprised of that?

14 A That's right. I had had no contact with Ambassador Sondland
15 after the meeting in July that I mentioned.

16 Q Okay. Changing gears a little bit to security assistance.
17 You testified earlier about some reviews that were being conducted.
18 Are you aware of any specific reviews regarding the Ukraine security
19 assistance that were being conducted in or about August of this year?

20 A No.

21 Q What about in September?

22 A No.

23 Q So the reviews that you discussed earlier, those were larger
24 policy reviews, not reviews specific to any given country?

25 A Right. There had been a process underway from roughly when

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1 I started this job which would have been August 30, 2018, so early
2 September of 2018, as I mentioned earlier, I was -- I represented the
3 State Department at a large interagency meeting where the NSC briefed
4 us on the concept behind the foreign affairs review. And the President
5 announced that the review was occurring, as was quoted, during the
6 General Assembly speech later in September.

7 As I said earlier, at the State Department, it was decided to
8 assign this task really to our Policy Planning Office with the support
9 of our Foreign Assistance Office, so I stepped back from it -- although,
10 obviously, I wanted to follow.

11 But to answer your question, this is about setting forth the
12 principles that in the future we will use to assess the prioritization
13 of our assistance and decisions made to the best management of our
14 money.

15 That has not yet been finalized or unveiled. Meantime, as I
16 mentioned earlier, all of us who work for the State Department anyway,
17 are doing our utmost to abide by the President's intent, which we know
18 is to take a very rigorous look at all of the assistance and to make
19 sure that it is truly in America's and our foreign policy interests.

20 And that -- I mentioned these things earlier, that there is
21 appropriate burden sharing, and that these are not, sort of, forever
22 programs in which States never graduate from them and that such things
23 as using counter -- violent extremism is not used as a rubric to
24 covering a wide range of assistance. It is not really specifically
25 focused on -- in a tried and true fashion on the task.

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1 I don't believe though that it would be correct to leave the
2 impression that the foreign assistance review has been applied on a
3 case-by-case basis to any countries.

4 Q Okay. And you indicated earlier that in the interagency
5 meetings, it was your assessment and the uniform assessment, with the
6 exception of OMB, that the hold should be lifted with regard to Ukraine
7 security assistance. Is that correct?

8 A Correct.

9 Q And is that because it was in the national security interest
10 of not just the United States but also of Ukraine that this aid be
11 released?

12 A From my perspective, it was because it was in the United
13 States' interest.

14 Q Can you explain -- without getting into any classified
15 material -- why the security assistance to Ukraine would be in the U.S.
16 national interest?

17 A It is very important that we be seen to be providing tangible
18 support, not just rhetorical support, for Ukraine as it faced Russian
19 intimidation and aggression, military aggression and intimidation in
20 all kinds of ways, including interference in their elections, in their
21 media, and so forth. And one of the most tangible ways the United
22 States can demonstrate that support for any country in that situation
23 is military assistance.

24 Q And this military assistance that we are talking about,
25 again, is two different programs. It's DOD, USAI, as well as State

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1 FMF?

2 A That's what I understand.

3 Q And back in September of 2018 was when Congress enacted the
4 Department of Defense spending bill that included the \$250 million for
5 USAI, correct?

6 A I don't doubt that. I didn't, you know, study that kind of
7 detail. I was, again, focused on making clear what the policy goals
8 were.

9 Q And is it your understanding that the President would have
10 signed that bill into law after Congress had enacted it?

11 A I'm having trouble following that.

12 Q Sure. So, after Congress enacted the DOD spending bill,
13 that would have been signed into law by the President. Correct?

14 A I guess. Again, I just -- I have been 35 years in the State
15 Department. I don't mean to give you a nonanswer. I don't really deal
16 with those kinds of legislative details. We have a whole office to
17 do it. I don't -- my experience in my career, I have never had to really
18 get into all of the nuts and bolts, so I just -- I don't know the
19 sequencing, but, yeah, why would that not be true? Yeah.

20 Q And are you aware that, in May, the Department of Defense
21 issued a certification saying that Ukraine had met all of the
22 requirements necessary in order to receive USAI funding?

23 A Again, it doesn't surprise me. That's part of the process.
24 I had also signed a report to Congress about their -- Ukraine's record
25 on corruption, anticorruption, and that the situation was improving.

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1 Q 2019, correct? Such that --

2 THE CHAIRMAN: When was it that you made that certification?

3 AMBASSADOR HALE: I'll have to look it up. It's a matter
4 of -- it's a public document. Yeah, on May 8th, I signed a report,
5 as I do many reports for Congress that's required by Congress just to
6 say that Ukraine had made progress on corruption was the thrust of the
7 report.

8 BY MR. MITCHELL:

9 Q And, in fact, funds were being obligated with regard to USAI
10 as early as June and July of 2019, were they not?

11 A I don't know that level of detail, sir.

12 Q But you learned on, I think you said June 21st, about the
13 freeze?

14 A Yes. Again, in researching the records for this meeting
15 today, it was evident that I knew from my staff -- I think it was from
16 my staff -- that OMB had stopped the aid, or at least we were getting
17 inklings of that, that that was happening, and that the FMF-11 was also
18 held.

19 Q And with regard to the aid for Ukraine, was it your
20 understanding that that freeze on or about June 21st related to both
21 FMF and USAI?

22 A I don't know if that distinction was apparent to me at that
23 time. May not have been until I was getting prepared for the D.C.
24 meeting when I would focus on that particular issue.

25 Q Okay. And what was your understanding of where the

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1 instruction to place a hold on the aid came from on or about June 21st?

2 A Well, we weren't sure. And I actually -- there were several
3 emails that came to me after there was what we call a PCC meeting, which
4 is a lower level interagency meeting on July 23rd, and I was being told
5 that the aid -- that there's a Presidential directive. And I have the
6 emails that show.

7 I reacted to that and said: Who is saying this? That a lower
8 level aid cannot just stop assistance based on say-so. PCC doesn't
9 have that authority.

10 And I didn't want -- I was not satisfied that someone just saying
11 there was a Presidential directive actually even meant that the
12 President had done this. I wanted clarity.

13 I wanted a name of a named person who was saying: This is the
14 President's wish.

15 I never got that response until we were into the small group
16 meeting, the deputies small group meeting on July 25 in which OMB stated
17 on the record that it was the President through Chief of Staff Mulvaney.

18 Q At that deputies meeting, do you recall a discussion about
19 the legality of the hold?

20 A No.

21 Q Do you recall having any discussions at any point with anyone
22 about the legality of the hold?

23 A I did not, no. It may have been in some of the papers I was
24 given. I don't know. Again, I was focused on the policy.

25 Q You testified earlier about a soft earmark. What did you

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1 mean by that?

2 A Well, it was based on the information that had been provided
3 to me to enable me to participate in the meeting that there was what
4 we call a soft earmark and that that meant -- the interpretation of
5 that meant that the money would have -- even if aid to the military
6 was frozen, the money would have -- money would have to be found to
7 go, that amount, and be spent in Ukraine.

8 Q All right. Going back to the beginning of September before
9 the hold was lifted, do you recall any conversations that you had with
10 anyone about security assistance?

11 A There's nothing that I remember other than the small group
12 meeting and my note to the Secretary. I may have -- we meet often.
13 I may have reminded him at some point that this was still pending and
14 a problem. I don't have any record of that, and I don't -- I can't
15 remember a specific instance.

16 And there may have been cases where people were reminding me that
17 the assistance was still pending and that it was a problem. We
18 certainly got the cable from the Ambassador, and the next day -- and
19 I believe it was the cable that prompted it -- but the next day the
20 European Bureau, Phil Reeker, wrote a memo which I would have seen at
21 the time that, quote, "the clock is ticking" on the time needed in order
22 to provide the assistance, and, again, asking for -- I think that the
23 intention was to remind people that we needed to try to get this done.

24 Q And did you do anything to follow up on that email?

25 A No, I knew it was in front of the Secretary already. I may

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1 have mentioned it to him at the time. I don't remember. But I knew
2 he was fully versed on the matter.

3 Q Do you recall seeing a Washington Post editorial board
4 opinion on or about September 5th reporting that Trump was withholding
5 security assistance as part of an effort to pressure Ukraine to
6 investigate the Bidens?

7 A I don't remember that.

8 Q You don't recall having any discussions with anybody at the
9 beginning of September about that?

10 A No, I don't remember that.

11 Q And what about just generally about these allegations that
12 security assistance was being used as leverage?

13 A My memory is that I first saw that when the whistleblower
14 stuff, which was coming out almost at the same time. I don't know
15 exactly when that occurred. But that was when I saw that there were
16 these -- there was this -- people were saying that there had been a
17 connection made.

18 Q And you had no discussions with Secretary Pompeo about this?

19 A I don't remember having them.

20 Q Okay.

21 THE CHAIRMAN: I think we are finished. Do you have any further
22 questions on your side?

23 MR. CASTOR: Just one or two. Mr. Meadows?

24 MR. MEADOWS: No, go ahead.

25 BY MR. CASTOR:

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1 Q You mentioned in the Ambassador Taylor cable, he went through
2 the pros and the cons of the withholding of the aid?

3 A Well, the pros of going forth with the aid, and the cons about
4 consequences if we did not go forth with the aid.

5 Q Okay. That's fine. Sorry. And then the -- foreign aid,
6 for a variety of reasons, is subject to holds. Is that not a true
7 statement?

8 A That's true.

9 Q And the holds come from a variety of places. Sometimes they
10 are generated from the Hill; sometimes not. But as a general matter,
11 aid is often held?

12 A It happens. As I said, it was happening on Lebanon as well.
13 As I said earlier, there was speculation in an email between Assistant
14 Secretary -- well, the Assistant Secretary got back to me and said that
15 he and his OSD counterpart had been speculating on the Lebanon aid and
16 the fact that this was having on Ukraine, whether this was a new normal
17 in terms of -- I think the context was, is this the way we are going
18 forth with our foreign assistance review? But we didn't know.

19 Q And oftentimes the holds or the freezes, whatever you want
20 to call it, gets resolved?

21 A Right. Correct.

22 Q And in this particular instance, were you hopeful or
23 confident that the hold would be resolved?

24 A I very much hoped so. I believed that because of what we
25 learned from OMB during that meeting, that the only thing that could

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1 be done about it was to convince the President. And I was
2 hoping -- very hopeful that the Secretary of State would be persuasive
3 and convince the President that this was the right thing to do, to
4 release the money.

5 Q And ultimately it was?

6 A It was.

7 Q And to your knowledge, there was no strings attached to that
8 aid?

9 A Right. I never knew that.

10 Q But, ultimately, you're not aware of any conditions being
11 attached to the aid?

12 A As I said, all I saw is what was exposed to the media of these
13 various things that people were saying about it, but, no, if you're
14 asking in the conduct of my job, no.

15 Q Okay.

16 MR. MEADOWS: And so I want to follow up there, Mr. Ambassador,
17 because the majority, you know, they want to document The New York
18 Times, Washington Post, and have us look backwards to have you opine
19 on all of these nefarious motivations as it relates to the aid.

20 And from your testimony, I think it's been very clear. You're
21 actually one of the few people that work on the seventh floor at the
22 State Department. Is that correct?

23 AMBASSADOR HALE: As a principal, correct.

24 MR. MEADOWS: As a principal. And so Ambassador Hale, your
25 testimony here today is that you were aware of no connection of the

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1 aid being held up in exchange for investigations into anything. Is
2 that correct?

3 AMBASSADOR HALE: That's correct. I had no knowledge of that.

4 MR. MEADOWS: And to your knowledge, you're not aware of
5 Secretary Pompeo having any direct knowledge of a connection between
6 investigations and the aid being held up. Is that correct?

7 AMBASSADOR HALE: He never discussed it with me.

8 MR. MEADOWS: All right. And so, as a person who would know at
9 the seventh floor, no matter how informed The Washington Post Editorial
10 Board may or may not be -- and I would put the emphasis on the "may
11 not be" -- as a person who should know, you're saying your sworn
12 testimony today is that you were not aware of connections to withhold
13 foreign aid to Ukraine. Is that correct?

14 AMBASSADOR HALE: Not aware of any what?

15 MR. MEADOWS: Any nefarious motivations to withhold aid to
16 Ukraine.

17 AMBASSADOR HALE: That's correct. I did not know that. We did
18 not know why this had occurred. It was not explained to us. The
19 context, of course, as we knew, A, the President was skeptical of
20 assistance, generally, and, B, he was skeptical of the corruption
21 environment in Ukraine.

22 MR. MEADOWS: And so, as we look back through all of this, it was
23 your belief, I believe you testified not once, but several times today,
24 that it was your belief that the aid would ultimately get unsuspending
25 and released, and that the Ukrainian aid that you deemed as very

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1 necessary would ultimately arrive at its destination and be deployed
2 efficiently and effectively. Is that correct?

3 AMBASSADOR HALE: I believe in our system, sometimes it is very
4 convoluted; sometimes there are delays. It is normal to have delays
5 and differences of opinion as that process is unfolded, but I had
6 confidence that the argument in favor of this assistance was so strong
7 that, in the end, it would prevail and we would be able to resume the
8 assistance.

9 MR. MEADOWS: And, lastly, as we look at all of this, are you
10 aware, you know, we talk about the check off -- and I think Mr. Mitchell
11 was talking about a check off that happened in May that you go through
12 this process where they check off so that the aid can actually flow
13 through.

14 If, indeed, a check off happened, which we have from other
15 witnesses suggested that they checked off and said that the Ukrainian
16 Government was making efforts on corruption, would it be reasonable
17 to put a pause on something if you had a Presidential election with
18 a new government coming in at that particular time to evaluate that,
19 because the timeframe that Mr. Mitchell put forth was May of 2019.
20 What other significant events were happening in the Ukraine at that
21 time?

22 AMBASSADOR HALE: Well, it's true that there was a Presidential
23 transition underway, as we all know and have discussed, and there were
24 parliamentary elections coming which were also very important to see
25 how strong the forces of reform would be in the country. Those were

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1 all factors in play at the moment. I can't put myself in the
2 President's mind as to why he took the position he took, but these are
3 factors that were occurring simultaneously.

4 MR. MEADOWS: And so I will close with this: Again, thank you
5 for your service. Thank you for your willingness to answer questions
6 from both the majority and the minority in a direct and succinct way.

7 And thank you for helping our Nation as it relates to foreign
8 policy. It's the dedicated public servants, folks like you, that
9 actually make a real difference, where we don't have to address those
10 on Main Street here in the United States because we have you doing it
11 in places abroad. So I want to thank you. And I'll yield back.

12 AMBASSADOR HALE: If I may just respond, thank you very much for
13 that comment, and I will take that back to my colleagues.

14 MR. MEADOWS: Please do.

15 THE CHAIRMAN: I have a few more followup questions based on my
16 colleague's questions.

17 You probably have seen now the text mail communications as well
18 as some of the testimony of other witnesses that there was an effort
19 to get President Zelensky to commit to doing two investigations -- one
20 involving Burisma and the Bidens, and another involving this conspiracy
21 about 2016 -- in order to get a meeting with the President. I take
22 it you were out of the loop on that?

23 AMBASSADOR HALE: Correct.

24 THE CHAIRMAN: So those that were involved in trying to arrange
25 that, Ambassador Volker, Ambassador Sondland, or others, they did not

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1 inform you that they were trying to get President Zelensky to commit
2 to these two investigations?

3 AMBASSADOR HALE: Correct.

4 THE CHAIRMAN: You were not on the text messages between these
5 parties discussing what needed to go into that public statement to get
6 the meeting. I take it you were out of the loop on that?

7 AMBASSADOR HALE: Correct.

8 THE CHAIRMAN: Ambassador Sondland's discussions with
9 Mr. Yermak in Warsaw about the conditioning of the military aid to
10 the -- to Ukraine's commitment to do these investigations, you were
11 out of the loop open that?

12 AMBASSADOR HALE: Correct.

13 THE CHAIRMAN: Ambassador Sondland didn't brief you about the
14 discussions he was having with his Ukraine counterparts to either
15 condition the White House meeting or the aid on these investigations,
16 you were out of the loop on that?

17 AMBASSADOR HALE: Correct.

18 THE CHAIRMAN: When Mr. Mulvaney acknowledged from the White
19 House in a press conference that, indeed, he had discussed with the
20 President doing this investigation into 2016 and that was part of the
21 reason they held up the aid, I take it you were out of the loop on his
22 conversations with the President, were you not?

23 AMBASSADOR HALE: Correct.

24 THE CHAIRMAN: You just knew that Mulvaney had placed a hold on
25 the aid, but you were not aware of his discussions with the President?

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1 AMBASSADOR HALE: Correct. Just to expand on that, what the OMB
2 deputy said was that this was a directive of the President and of Acting
3 Chief of Staff Mulvaney.

4 THE CHAIRMAN: And I take it the conversations that Ambassador
5 Sondland had with the President on the holdup of Ukraine military
6 assistance and that there would be a stalemate as long as Zelensky
7 didn't do what the President felt he should do, you were out of the
8 loop on that as well?

9 AMBASSADOR HALE: Correct.

10 THE CHAIRMAN: I have nothing further.

11 MR. MEADOWS: Let me go ahead and have a followup against
12 Mr. Chairman's cross.

13 Are you aware of anything that the Ukrainian Government has done
14 other than fighting corruption and passing bills to fight corruption
15 as it relates to the aid?

16 I mean, was there a leverage? I mean, was there a deliverable?
17 Are you aware of any deliverable the Ukrainians gave the United States
18 Government other than passing anticorruption bills that happened in
19 late August of 2019?

20 AMBASSADOR HALE: I don't know of anything that the Ukrainians
21 have done in order of that nature, no.

22 MR. MEADOWS: All right, I will close. Thank you.

23 THE CHAIRMAN: Okay. That concludes the deposition of
24 Ambassador Hale. I want to thank you for your testimony today, and
25 we are adjourned.

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1 [Whereupon, at 2:44 p.m., the deposition was concluded.]