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.

INTERVIEW OF: GEORGE KENT

Tuesday, October 15, 2019
Washington, D.C.

The interview in the above matter was held in Room
HVC-304, Capitol Visitor Center, commencing at 10:08 a.m.
Present: Representatives Schiff, Himes, Sewell, Carson, Speier, Quigley, Swalwell, Heck, Maloney, Demings, Krishnamoorthi, Conaway, Wenstrup and Hurd.

Also Present: Representatives Norton, Malinowski, Raskin, Rouda, Phillips, Engel, Perry, Meadows, and Zeldin.
Appearances:

For the PERMANENT SELECT COMMITTEE ON INTELLIGENCE:
For the COMMITTEE ON OVERSIGHT AND REFORM:

For the COMMITTEE ON FOREIGN AFFAIRS:

For GEORGE KENT:

ANDREW WRIGHT
BARRY M. HARTMAN
NANCY IHEANCHO
K&L GATES LLP
1601 K Street NW
Washington, D.C. 2006-1600
THE CHAIRMAN: The committee will come to order.

Good morning, Deputy Assistant Secretary Kent, and welcome to the House Permanent Select Committee on Intelligence, which, along with the Foreign Affairs and Oversight Committees, is conducting this investigation as part of the official impeachment inquiry of the House of Representatives.

Today's deposition is being conducted as part of the impeachment inquiry. In light of attempts by the State Department in coordination with the White House to direct you not to appear and efforts to limit your testimony, the committee had no choice but to compel your appearance today. We thank you for complying with the dually authorized congressional subpoena, as other witnesses have done as well. We expect nothing less from a dedicated career civil servant like yourself.

Deputy Assistant Secretary Kent has served with distinction as a Foreign Service officer with deep experience relevant to the matters under investigation by the committees. In his capacity as Deputy Assistant Secretary in the European and Eurasian Bureau you oversee policy towards Ukraine, Moldova, Belarus, Georgia, Armenia and Azerbaijan. Previously he was deputy chief of mission in Kyiv from 2015 until 2018 when he returned to Washington to assume his current position.
In 2014 and 2015, he was the senior anticorruption coordinator in the State Department's European Bureau. Since joining the Foreign Service in 1992 he has served among other postings in Warsaw, Poland, Kyiv, Tashkent, Uzbekistan, and Bangkok, Thailand. Given your unique role, we look forward to hearing your testimony today, including your knowledge of and involvement in key policy discussions, meetings and decision on Ukraine that relate directly to areas under investigation by the committees. This includes developments related to the recall of Ambassador Yovanovitch, the President's July 25, 2019 call with Ukrainian President Zelenskyy, as well as the documentary record that has come to life about efforts before and after the call to get the Ukrainians to announce publicly investigations into two areas President Trump asked President Zelenskyy to pursue: the Bidens in Burisma, and the conspiracy theory about the Ukraine-supported interference in the 2016 U.S. elections.

To state clearly on the record, I want to let you and your attorneys know that Congress will not tolerate any reprisal, threat of reprisal, or attempt to retaliate against you for complying with a subpoena, and testifying today as part of the impeachment inquiry. This includes any effort by the State Department, the White House, or any other entity of the government to claim that in the course of your testimony under dually authorized subpoena today, you are disclosing
information in a nonauthorized manner.

We also expect that you will retain your current position after testifying today, and that you will be treated in accordance with your rank, such that in the normal course of the remainder of your career, you will be offered assignments commensurate with your experience and long service. Should that not be the case, we expect you to notify us immediately and we will hold those responsible to account.

Before I turn to committee counsel to begin the deposition, I invite the ranking member, or in his absence a minority member from the Foreign Affairs or Oversight committees to make an opening remark.

MR. JORDAN: Secretary Kent, thank you. Thank you, Mr. Chairman. Secretary Kent, thank you for appearing today.

On September 24th, Speaker Pelosi unilaterally announced that the House was beginning its so-called impeachment inquiry.

On October 2nd, the Speaker promised that the so-called impeachment inquiry would treat the President with fairness.

However, Speaker Pelosi, Chairman Schiff, and the Democrats are not living up to that promise. Instead, Democrats are conducting a rushed, closed-door and unprecedented impeachment inquiry. Democrats are ignoring 45 years of bipartisan procedures designed to provide elements of fundamental fairness and due process. In past impeachment
inquiring, the majority and minority had coequal subpoena
authority and the right to require a committee vote on all
subpoenas. The President's counsel had the right to attend
all depositions and hearings, including those held in
executive session. The President's counsel had the right to
cross-examine the witnesses and the right to propose
witnesses. The President's counsel had the right to present
evidence, object to the admission of evidence, and to review
all evidence presented, both favorable and unfavorable.

Speaker Pelosi and Chairman Schiff so-called impeachment
inquiry has none of these guarantees of fundamental fairness
and due process. Most disappointing, Democrats are
conducting this inquiry behind closed doors. We're
conducting these depositions and interviews in a SCIF, but
Democrats have been clear every single session that there's
no unclassified material being presented in the sessions.
This seems to be nothing more than hiding this work from the
American people.

The Democrats intend to undo the will of the American
people 13 months before the next election, they should at
least do so transparently and be willing to be accountable
for their actions.

Chairman, I believe the ranking member from the Foreign
Affairs Committee would like to say something as well as
well.
MR. MCCaul: Thank you, Mr. Chairman.

As you know, I conduct myself as both chairman and ranking member in a very bipartisan way, and I think that should apply here as well. I am -- next to declaring war, this is the most important thing that the Congress can do under Article I. To hide behind that, to have it in a SCIF, to defy historical precedent that we conducted under both Nixon and Clinton, which guarantees the participation of counsel, White House counsel in the room in an adversarial way.

To also provide the minority the power of that subpoena. That was done during both prior impeachments, because both sides recognized that with a fair. It's really about fairness. If -- I would just urge you, if you're going to continue, and I've been back in my district for 2 weeks, talking to my constituents both Republican, and Democrat, and Independent, above all what they had in common was they wanted to see this done the right way. I know you're a fair man. We've known each other for a long time. I hope that this resolution will come to the floor so that we can participate in a democratic system, with a democratic vote, up or down, to proceed with this inquiry, so that it is backed by the American people.

To do so otherwise, I think, defies democracy, it defies fairness, and it defies due process. And if we're going to
do this, for God's sakes, let's do it the right way.

I yield back.

THE CHAIRMAN: I think my colleagues will certainly have
an opportunity to discuss these matters further, but in the
interest of moving ahead with the deposition I recognize
Mr. Goldman.

MR. GOLDMAN: Thank you, Mr. Chairman. This is a
deposition of Deputy Assistant Secretary of State, George
Kent conducted by the House Permanent Select Committee on
Intelligence, pursuant to the impeachment inquiry announced
by the Speaker of the House on September 24th.

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

THE WITNESS: George Peter Kent, K-e-n-t.

MR. GOLDMAN: Thank you. Now, along with other
proceedings and furtherance of this inquiry, this deposition
a part of a joint investigation, led by the Intelligence
Committee, in coordination with the Committees on Foreign
Affairs, and Oversight and Reform.

In the room today are equal numbers of majority staff
and minority staff from the Foreign Affairs Committee and the
Oversight Committee, as well as majority and minority staff
from the Intelligence Committee. This is a staff-led
deposition, but Members, of course, may ask questions during
their allotted time, and there will be equal allotted time
for the majority and the minority.

My name is Daniel Goldman. I am the senior adviser and
director for investigations for the HPSCI majority staff.
And I thank you very much for coming in today. I would like
to do brief introductions before we begin. To my right is
Nicholas Mitchell, who is the senior investigative counsel
for the HPSCI majority staff. And Mr. Mitchell and I will be
conducting most of deposition for the majority. And I'll let
my counterparts from the minority staff introduce themselves
as well.

MR. CASTOR: Good morning, sir, Steve Castor with the
Republican staff of the Oversight Committee.
MR. BREWER: Good morning, I'm David Brewer, Republican
staff, Oversight.
MS. GREEN: Meghan Green, senior counsel for HPSCI
minority.
MR. GOLDMAN: Now this deposition will be conducted
entirely at the unclassified level. However, this
deposition, as you no doubt know, is being conducted in
HPSCI's secure spaces, and in the presence of staff with the
appropriate security clearances, and, as we understand as of
this morning, your attorneys all have appropriate security
clearances. We understand that you received a letter from
the State Department that addresses some of the concerns
about the disclosure of classified information. But we want
you to rest assured that, in any event, any classified
information that is disclosed is not an unauthorized
disclosure today.

It is the committee's expectation, however, that neither
the questions asked of you nor the answers that you provide
or your counsel provide will require discussion of any
information that is currently, or at any point could be
properly classified under Executive Order 13526. As you no
doubt know, EO 13526 states that, quote "In no case shall
information be classified, or continue to be maintained as
classified, or fail to be declassified" unquote, for the
purpose of concealing any violations of law or preventing
embarrassment of any person or entity.

If any of our questions can only be answered with
classified information. We would ask you to inform us of
that before you provide the answer, and we can as just the
deposition accordingly.

Today's deposition is not being taken in executive
session, but because of sensitive and confidential nature of
some of the topics and materials that will be discussed,
access to the transcript of the deposition will be limited to
the three committees in attendance. You and your attorney
will have an opportunity to review the transcript at a later
date.

Now before we begin the deposition, I would like to go
over some of the ground rules. We will be following the
House regulations for depositions. We have previously
provided counsel with a copy of those regulations, but let us
know if you need additional copies.

The deposition will proceed as follows today. The
majority 1 hour to ask questions, and the minority will be
given 1 hour to ask questions. Thereafter, we will alternate
back and forth in 45 minute rounds. We'll take periodic
breaks. But if, at any time, you or your counsel need a
break, please just let us know. Under the House deposition
rules, counsel for other persons or government agencies may
not attend this proceeding, and we understand that none are
here. You, however, are allowed to have personal attorney
present during this deposition, and I see that you have
brought a couple. At this time if counsel could please state
his or her name for an appearance for the record.

MR. WRIGHT: My name is Andrew Wright with K&L Gates.

MR. HARTMAN: Barry Hartman, K&L Gates.

MS. IHEANACHO: Nancy Iheanacho with K&L Gates.

MR. GOLDMAN: To your left there is a stenographer
taking down everything that is said, all questions and
answers, so that there is a written report for the
deposition. For that record to be clear, please wait until
questions are completed before you provide your answers, and
all staff and members here will wait until you finish your
response before asking the next question. The stenographer
cannot record nonverbal answers such as a shaking of the head
or an uh-huh so please make sure that you answer questions
with an audible verbal answer.

We ask that you give complete replies to questions based
on your best recollection. If a question is unclear or you
are uncertain about the response, please let us know and we
can rephrase the question.

And if you do not know the answer to a question or
cannot remember, simply say so. You may only refuse to
answer a question to preserve a privilege recognized by the
committee. If you do refuse to answer a question on the
basis of privilege, staff may either proceed with the
deposition, or seek a ruling from the chairman on and
objection, in person or otherwise, during the deposition at a
time of the majority staff's choosing. If the chair
overrules any such objection, you are required to answer the
question.

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

Now as this deposition is under oath, Deputy Assistant
Secretary Kent, would you please stand and raise your right-hand to be sworn?

Do you swear or affirm the testimony that you are about to give is the whole truth and nothing but the truth?

THE WITNESS: I swear that the testimony I am about to give is the truth and nothing but the truth.

MR. GOLDMAN: Thank you. Let the record reflect that the witness has been sworn. But before we begin, Deputy Assistant Secretary Kent, now is the time for you to make any opening remarks.

MR. ZELDIN: Mr. Goldman, can we just go around the room and have everybody identify themselves?

MR. GOLDMAN: You want back? Why don't we start at the table here. Mr. Quigley.

MR. QUIGLEY: Mike Quigley from Illinois.

MS. SPEIER: Jackie Speier.

MR. Swalwell: Eric Swalwell.

MS. SEWELL: Terri Sewell.

MR. ROUDA: Harley Rouda.

MR. RASKIN: Jamie Raskin, for Maryland.


MR. MALINOWSKI: Tom Malinowski, New Jersey.

MR. PHILLIPS: Dean Phillips, Minnesota.

MR. ROONEY: Francis Rooney, Florida.

MR. MEADOWS: Mark Meadows, North Carolina.
MR. MCCAUL: Mike McCaul.

MR. JORDAN: Jim Jordan, Ohio.

MR. GOLDMAN: And then if we could start behind here.

MR. GOLDMAN: Mr. Kent.

MR. KENT: Good morning, as you've heard, my name is George Kent. I'm the Deputy Assistant Secretary of State for Europe and Eastern Europe, and the Caucasus in particular. I have served proudly as a nonpartisan career foreign service
officer for more than 27 years, under five Presidents, three Republican and two Democrats. As you all know, I am appearing here in response to your congressional subpoena. If I did not appear I would have been exposed to being held in contempt. At the same time, I have been instructed by my employer, the U.S. Department of State, not to appear. I do not know the Department of State's views on disregarding that order. Even though section 105(c) of the Foreign Service Act of 1980, which is 22 U.S. Code 3905 expressly states, and I quote, "This section shall not be construed as authorizing of withholding of information from the Congress or the taking of any action of a member of the service who discloses information to Congress," end quote.

I have always been willing to provide facts of which I'm aware that are relevant to any appropriate investigation by either Congress or my employer. Yet, this is where I find myself today, faced with the enormous professional and personal cost and expense of dealing with a conflict between the executive and legislative branches not of my making.

With that said, I appear today in same spirit that I have brought to my entire career, as a Foreign Service officer and State Department employee, who has sworn to support and defend the Constitution of the United States, as one of thousands of nonpolitical career professionals in the Foreign Service who embody that vow daily around the world.
often in harsh and dangerous conditions.

There has been a George Kent sworn to service in defense of the Constitution and U.S. national interests for nearly 60 consecutive years and counting, ever since my father was sworn in as a midshipman at Annapolis in June 1961, commissioned in 1965, after finishing first in his class, and serving honorably for 30 years, including as captain of a ballistic missile nuclear submarine. Principled service to country and community remains an honorable professional choice, not just a family tradition dating back to before World War II, one that survived the Bataan Death March, and a 3-year stint in a Japanese POW camp unbroken. I hope the drama now playing out does not discourage my son, from seriously considering a life of service.

After two internship on a State Department Soviet desk in the late 1980s, I formally joined the Foreign Service in 1992, and have not, for a moment, regretted that choice to devote my life to principled public service. I served twice in Ukraine for a total of 6 years, posted in Kyiv, first during and after the Orange Revolution from 2004 to 2008, and again, from 2015 to 2018, in the aftermath of the Revolution of Dignity when I worked at deputy chief of mission.

In between, I worked in Washington from 2012 to 2015, in several policy and programming positions directly affecting U.S. strategic interests in Ukraine, most notably, as
director for law enforcement and justice sector programming for Europe and Asia, and then as the European Bureau's senior anticorruption coordinator.

In the summer of 2018, then-Assistant Secretary for European and Eurasian Affairs, Wess Mitchell asked me to come back from Kyiv to Washington early to join his team as Deputy Assistant Secretary of State to take charge of our eastern European Caucasus portfolio, covering six countries in the front line of Russian aggression and malign influence, Ukraine, Moldova, Belarus, Georgia, Armenia, and Azerbaijan.

The administration's national security strategy, which Wess helped write, makes clear the strategic challenge before us: great power competition, with peer or near-peer rivals, such as Russia and China and the need to compete for positive influence without taking countries for granted. In that sense, Ukraine has been on the front lines, not just of Russia's war in eastern Ukraine since 2014, but of the greater geopolitical challenges facing the United States today.

Ukraine's success, thus, is very much in our national interest in the way we have defined or national interests broadly in Europe for the last 75 years, and specifically in central and Eastern Europe, for the last 30 years, since the fall of the Wall in 1989. A Europe whole, free, and at peace -- our strategic aim for the entirety of my foreign
service career -- is not possible without a Ukraine full free
and at peace, including Crimea and Donbas, both current
occupied by Russia.

I am grateful for all of you on the key congressional
committees who have traveled to Ukraine in the past
5 years -- and I had occasion to speak to many in the 3 years
I was in Kyiv -- and appropriating billions of dollars in
assistance in support of our primary strategic goals, in
particular, increasing Ukraine's resiliency in the face of
Russian aggression in the defense, energy, cyber, and
information spheres, and empowering institutions in civil
society to tackle corruption and undertake systemic reforms.

I believe that all of us in the legislative and the
executive branches in the interagency community working out
of our embassy in Kyiv, with Ukrainians in government in the
Armed Services in civil society, and with our transatlantic
allies and partners, can be proud of our efforts and our
resolve in Ukraine over the past 5 years, even though much
more remains to be done.

U.S. officials who have spoken publicly in Ukraine to
push back on Russian aggression and corrupt influences have
been subject to defamatory and disinformation campaigns, and
even online threats for years. Starting in 2015 for former
Ambassador Pyatt, in 2017 for me, and in 2018 for former
Ambassador Yovanovitch.
That was, frankly, to be expected, from Russian proxies and corrupt Ukrainians, and indicators that our efforts were hitting their mark. You don't step in to the public arena of international diplomacy in active pursuit of U.S. principled interests against venal vested interests without expecting vigorous pushback.

On the other hand, I fully share the concerns in Ambassador Yovanovitch's statement on Friday expressing her incredulity that the U.S. Government chose to move an ambassador based, as best she tell, on unfounded and false claims by people with clearly questionable motives, at an especially challenging time in our bilateral elections with a newly elected Ukrainian President.

One final note, I will do my best to answer your questions today and I understand there are going to be a lot of them. I suspect your questions may well involve some issues, conversations and documents that span a number of years. The State Department is in the process of collecting documents in response to the subpoena, not to me, but to the Department that may contain facts relevant to my testimony. I have no such documents or materials with me today.

With the exception of a few documents related to the State Department inspector general's submission to Congress this month, neither the Department nor the committee has provided documents at issue in this inquiry. I will, thus,
do my best to answer as accurately, completely and truthfully as I can to the best of my recollection.

And with those introductory words, I'm ready to answer all your questions regarding the subject of the subpoena, which has ordered me to appear before you today.

MR. GOLDMAN: Thank you, Mr. Kent.

MR. JORDAN: Could we get a copy, could staff get a copy of the Secretary's opening statement for us, please.

MR. GOLDMAN: Yeah, we can deal with that.

EXAMINATION

BY MR. GOLDMAN:

Q Mr. Kent, I'm going to pick up just where you left off there about the documents. You are aware of a request of you as well to provide documents. Is that right?

A In the letter that was emailed to me on September 27th there was a request to appear voluntarily and to provide documents, yes.

Q What did do you, if anything, in relation to providing documents in response to that request?

A I received direction that from the State Department that at the same time you issued the letters to me you issued a subpoena to the Department, and therefore the documents would be collected as part of that subpoena request since they are considered Federal records.

THE CHAIRMAN: Ambassador, you don't need to turn the
mic off.

BY MR GOLDMAN:

Q  Are you aware of the status of that document production by the State Department related to your personal documents -- or professional documents, I should say?

A  I collected all the different types of records that possibly could be considered part of the request and provided them to the listed authority at the State Department.

Q  And have you had any followup conversations about production of those documents?

A  I have not.

Q  Have you had any conversations, separate and apart, from the letters that we understand you received? Have you had any type of conversations with the State Department -- anyone at the State Department about your testimony here today?

A  My testimony today? No.

Q  Okay. So you didn't have -- sorry, I don't mean the substance of your testimony, but did you have any conversations about whether you would be testifying or will testify?

A  The interaction consisted of letters through counsel.

Q  So you had no personnel conversations with anyone?

A  I had no personal conversation.
Q Did you have any conversations with anyone at the State Department about the document request?
A Yes.
Q Can you describe those conversations?
A Define conversations.
Q All right. Well, who did you speak to about the document?
A Okay. So the first interaction was with somebody I presume many of you are familiar with [redacted], who works with our congressional liaison. And initially, when I asked in email form whether I should start collecting documents, because I had received a personal request, I was instructed to await formal guidance, meaning formal instructions on how to fulfill the document production request, so that was the first interaction.
Q And what was the second interaction?
A The second interaction with the Department issued written guidance on how to be responsive to the subpoena for documents to the Department late on October 2nd and that was in writing.
Q From whom?
A The instructions were sent from the executive secretary of the Department, Lisa Kenna.
Q And what did you do upon receiving those instructions?
A That was after close of business. The senior bureau official at the time was Maureen Cormack (ph), and Maureen gave me a paper copy and said that the European Bureau staff on whom most of the requirements would fall would convene at 9 o'clock the next morning to discuss how we could fully be responsive to the request.

Q And did that meeting at 9 o'clock the next day occur?

A It occurred.

Q And what happened at that meeting?

A We had roughly 20 members of European Bureau still there and followed the overall staff meeting of the morning which was from 8:30 to 9:00. Most people left. Those related to the inquiry stayed. And we had several additional staff who joined us at that meeting.

Q And can you just summarize the conversation at that meeting?

A We started going through the instructions of the State Department, which initially, the first paragraph identified a number of individuals as key record collectors. And so we -- the first question that came up was when it said "including colon" and it listed names, was that an inclusive or exclusive list? Was it only those individuals or more? We had two people in the room who are not members of the European Bureau staff, there could have been more, but they
self-identified as [redacted] from congressional liaison and [redacted] from the Office of Legal Counsel at the State Department. They clarified that that was not an exclusive list, meaning not only those people listed, but others who might have records should also be responsive.

Q Okay. At any -- I just want to back it up a little bit and a little bit more generally here. I appreciate your detail, but we are somewhat -- we didn't want to stay here all night. So I'm just trying to get a sense of, sort of, the back and forth. Was there, at any point, did you take issue with any of the directives or suggestions that you received from the State Department?

A The letter of instruction that was issued after the close of business on October 2nd was the first formal instruction that any of us had received in response to the subpoena to the Department and the personal letters which had been sent at the end of September 27th, so there was not any formal structured interaction, as I mentioned, that I'd had initial interaction with [redacted], and she directed me to await formal guidance. I did have several interactions with other State Department officials on Tuesday, October 1st.

Q With whom?

A With the director general of the Foreign Service, and with the acting L, so to speak, Marek String.

Q And what was the purpose of those conversations?
A I approached the director general late in the afternoon -- mid-afternoon on October 1st, because I had not had any contact from any member on the leadership of the Department. And there was a letter sent to these committees that characterized interactions that I do not feel was accurate.

Q Can you explain what you didn't feel was accurate?

A Well, there was a line in there that the committees had been attempting to bully, intimidate, and threaten career foreign service officers. And I was one of two career foreign service officers which had received letters from the committees, and I had not felt bullied, threatened, and intimidated. There was another line in there that suggested that the career Foreign Service officers had requested the committee's to route all communications through House liaison and I think your colleague who -- [redacted], who sent me the initial email on Friday night received my reply, which indicated that I acknowledged receipt, and that our congressional liaison had requested that the information be routed to them. So I was concerned that the letter itself did not accurately characterize the interaction.

Q When you're talking about the letter, you're talking about the letter from Secretary Pompeo?

A Correct.

Q And what was the response of the two individuals
that you spoke to?

A Well, Ms. Perez, who is one of the top two career foreign services officers and oversees the personnel system, I had worked for her previously directly in a previous job. And because I'd had no contact with the leadership of the Department outside of the European Bureau, I suggested that it was time that somebody engaged me personally, particularly since representations were being made about me.

Q What representation? Oh, the letter?

A Right, the language in the letter.

Q And what was Ambassador Perez's response?

A She needed to go and give a response to 150 people about taking care of your people. And she said when that was finished, she would reach out and find somebody that would reach out to me. And so she came back after an hour and said that the acting legal counselor of the Department, "L" in our parlance, Marek String, would reach out to me; that if I did not hear from him in 24 hours, I should contact her again.

Q Did hear from him?

A I did after I wrote him an email.

Q And did you ultimately have a conversation with him?

A I did. He called me back through the Operations Center in the evening when I was already at home.

Q And can you summarize that conversation for us?
A He apologized for not having had anyone reach out to me prior. He said it was a very busy day, that they had responsive and were doing a lot and -- but I'd known Marek previously and respected him. If it weren't for Marek, we would not have had Charge Taylor out in Kyiv. He helped with the process of getting him brought back on board as an Active Duty person. So I respected his professionalism previously, so it was a professional conversation.

Q Did you voice the same -- similar concerns?
A I did.

Q And what was his response?
A He apologized, because I mentioned that there had not been an exchange.

Q Sorry. Did you voice your concerns about the two statements in the letter that you disagreed with?
A To the best of my recollection, again, it was a phone call at night when I was in my kitchen eating dinner at about 9 -- between 8 and 9. So I cannot say it was more, I think, the tonality. It was a pleasant, professional exchange.

Q And was there any follow-on conversations that you had?
A Not with Marek, not with Marek. That was again, on the night on the 1st. The guidance that we received in writing came shortly after close of business on the 2nd. And
then the next sort of point was the meeting, the guidance, our -- the European Bureau's meeting at 9 o'clock on October 3rd.

Q  And since October 3rd, until today, October 15th, is anything else -- any other further conversation that you've had?

A  I have not. That was also the time where I think the 3rd was when we formally -- I formally engaged Andrew Wright as my counsel in this process. And therefore, there were additional engagements, interactions with -- through counsel.

Q  Are you aware that as we sit here today, we have not received one document from the State Department?

A  I can read the news, but as I've answered you before, I'm not aware -- I did my role. Obviously there were a lot of documents and records that I had that I needed to provide, based on the subpoena and the guidance that the State Department issues. But having provided those records, I do not know the process on reviewing them.

Q  After your conversation with Marek String, did you have any additional conversations with anyone in L?

A  I did. There was a representative from L, as I previously mentioned, ..., who attended the European Bureau guidance meeting on October 3rd.

Q  Did you have any private conversations with him?
A We have a very public exchange in front of the roughly 20 people in the meeting. And then subsequent to that, I was called out into the hall where I had a continued conversation with him and [redacted].

Q Can you describe the public exchange?

A Well, public -- in a room, closed-door room. The exchange started when we were discussing the issue of who needed to be responsive to the records collection. The individuals listed primarily were in the European Bureau. And I noted several people who should have been listed who played key roles on staff at the embassy in Kyiv. And then I mentioned Consular Affairs Assistant Secretary Risch, because he had spoken to Rudy Giuliani several times in January about trying to get a visa for the former corrupt prosecutor general of Ukraine, Viktor Shokin. And my read of the request would include that.

[redacted] took issue with my raising the additional information, and the conversation rapidly, I would say, either escalated or degenerated into a tense exchange.

Q So what was his response to your suggestions of additional custodians?

MS. SPEIER: What did he say?

MR. KENT: I've got two questions here, so I don't know how you want to manage -- Representative Speier asked me a question and you.
MS. SPEIER: No, I didn't. I was just talking to myself.

MR. KENT: Oh. Sorry.

MR. BAIR: It was the same question.

MR. GOLDMAN: It's the same question.

MR. KENT: He objected to my raising of the additional information and said that he didn't think -- I do not remember his exact words, but -- he made clear that he did not think it was appropriate for me to make the suggestion. I took the opportunity, then, to point out that that was the first -- the meeting was the first time that we were discussing guidance for being responsive to a subpoena. At this point, it was already October 3rd. The request for the documents and the request for submission had been delivered on September 27th and we had less than 2 business days to be responsive. [REDACTED] has then said, I don't think I should be even talking to you. It's not appropriate. I should only talk to counsel, and I talked to your counsel last night. That was, as I knew, a factually incorrect statement at that point. He never had a conversation with my counsel. The conversation ended at that point, but later on when I then picked up this issue of guidance and our responsibilities, he raised his voice again, suggested, as I told you before, I should not be talking to you, it is against the bar ethics, for me to contact and talk to you directly. I took issue
with that. I said I'm under no obligation to retain private
counsel. I said somebody provided information to the
Secretary that he said publicly in Italy that the
congressional committees were preventing me from talking to
legal counsel. And I said I've got 15 witnesses in a room
hearing you say that you don't want to talk to me. So I'm
worried that you as working for this office, are adopting
positions at odds with the language that your office is
providing the Secretary of State.

My interest in this process was so that the State
Department and the Secretary would be protected, and being
fully responsive to the legal subpoena that had been issued.

BY MR. GOLDMAN:

Q Was his concern more of a process concern or did he
take any objection to your substantive suggestion that
additional custodians should be included?

A I honestly cannot answer what he was thinking. I
can only say what he said to me.

Q That's what I'm asking. What did he say?

A He said to me that he represented the Secretary of
State and the Department's interest in this process. And
that was the end of that -- and he also said that he was the
author of the lines about the -- of the letter that included
the language about the bullying and intimidation.

I pointed out to him that I thought the language he had
then drafted, since he said was the drafter, was inaccurate. And he asked why did I say that. I said, well, you say that the career Foreign Services are being intimidated. And he said, who are you speaking about? And I asked him, about whom are you speaking? And he said, you're asking me to reveal confidential information. And I said, no, I'm not. There are only two career Foreign Service officers who subject to this process. I'm one of them. I'm the only one working at the Department of State, and the other one is Ambassador Yovanovitch, who is teaching at Georgetown. So I'm not asking to you reveal anything that isn't already commonly known.

So that was that part of that conversation.

**Q** What his response when you said that?

**A** He spent the next 5 minutes glaring at me.

**Q** Did he disagree that Mr. Risch should be included in the --

**A** We did not return to that topic.

**Q** Now this was all with the others in the room?

**A** This is in the room with the 15 to 20 other people, yes.

**Q** And then you said there was an additional conversation in the hallway with [redacted]. Can you describe that conversation?

**A** Correct. [redacted] then said, opened the door after a
couple of minutes and asked if I could come out. So I excused myself before my colleagues. I apologized for them having had to hear an uncomfortable conversation. I said that it was important that they had been there as witnesses, since that was likely the only such only conversation engagement I would have with the legal staff of the State Department. I walked out, closed the door. And I stuck my hand out and said, Hi, I'm George Kent. We've never met. We shook hands. And then I said, that was unprofessional. And he then said, you were unprofessional. He got very angry. He started pointing at me with a clenched jaw and saying, What you did in there, if Congress knew what you were doing, they could say that you were trying to sort of control, or change the process of collecting documents. And what I said to him was what I hear you saying -- I said that's called projection. What I hear you saying is that you think that I am doing that.

What I was trying to do was make sure that the Department was being fully responsive. He then told me, I don't think it is appropriate for you to go back into that room. I told him that's not your business, that's my meeting, but I will agree with you, though, I will go back in and tell my colleagues that since I'm one of the chief records collectors, I will go back to my office and resume collecting records to be responsive to the request.
And the only other thing we did was I gave him my business card, he wrote his name and phone number in my notebook. And he said, I imagine you will be writing up your version of this conversation and I will be too. And that was it.

Q And did you write up your version?
A I did.

Q Did you provide that memo to the State Department to be turned over?
A I believe -- yes, I did.

Q Were you aware that the original request to the Department was made on September 9th?
A I am aware that there was a letter sent, yes. I was traveling through much of that next week. So I am not a lawyer and I understand there are different ways of signaling how serious the issue is, but yes, I was aware that an earlier set of letters were sent prior to the September 27th letters.

Q Were you asked to collect your records prior to, I believe, you said October 2nd?
A There was no request for anyone to collect records prior to the subpoena that was issued, to my understanding, on the 27th.

Q And I assume you did not have any further conversations with [REDACTED]?
A No, and I think as counsel can confirm, once our relationship was established, he, [redacted], was taken off of my account, and while I did not participate in further conversations, my understanding is that the tone and further back and forth between L and my counsel was fully professional and respectful.

Q All right. Before I move on, Mr. Kent, is there anything else on the topic of the State Department's response to the Congress' subpoena that you think the committee should know about that you haven't addressed?

A No.

THE CHAIRMAN: If I could, I take it, at some point, you were instructed by the State Department not to provide the documents directly to the committee, but rather to provide them to the State Department?

MR. KENT: The initial document request under the subpoena was to the State Department and the State Department as part of its guidance did share the consideration that communications would be considered Federal records, and that they would be handling them, and that is a position that I accepted.

THE CHAIRMAN: But in terms of your own documents, the ones in your possession that we had requested, did you get instructions from the State Department that rather than provide them to the committee, you should provide them to the
State Department?

MR. KENT: The letters that came in, the letter that came to me on September 27th was sent concurrently with a subpoena for those documents. And so they are considered Federal records. And all executive branch employees are reminded of that. So I was responsive to the request under subpoena to the Department for those records to be collected.

THE CHAIRMAN: But did you receive any instructions from the State Department that you should not provide the documents directly to the committee?

MR. KENT: I would have to go back and look at the written guidance that was issued on October 2nd. But I will say it was my understanding that I would provide the documents as part of the subpoena to the Department for the documents. My documents are not my personal documents. Any record that I create in the performance of my professional duties would be considered a record of the Department of State.

THE CHAIRMAN: And I assume that any records that you had on a personal device, those would have been provided to the State Department to be turned over as well?

MR. KENT: That is the -- right, correct.

THE CHAIRMAN: Thank you.

BY MR. GOLDMAN:

Q Did you have any conversations with anyone else in
the State Department about your interaction with [redacted]?

A   Yes.

Q   Who?

A   Now former, I guess, technically retired, he sent
in his resignation letter, Michael McKinley, senior adviser

to the Secretary of State. I had had no prior interaction

with Mr. McKinley until the weekend after the letters were

issued, and the story became news, and he reached out to talk

to me.

Q   He reached out to you?

A   Correct. I was out picking apples with my wife --

Stribling Orchards, a very nice place in Markham, Virginia,

if you ever want to get good apples -- and he reached out to

me through the Operations Center and said that he felt the

State Department should stand up for its career Foreign

Service officers and wanted to know if I had any objection to

him trying to get the Department to issue a statement of that

nature.

Q   What did you say?

A   I think said I think it is entirely appropriate for

the State Department leadership to stand up for its career

foreign service officers.

Q   And what did you say about the statement?

A   He didn't share the statement with me. I asked him

if he'd already floated the idea, and if he got any
responses.

Q  What did he say?

A  He said he had not yet succeeded in securing an
agreement to issue such a statement.

Q  Had he heard about your interaction with

A  So that came later, because our first conversation
was on September 28th, Saturday, when I was picking apples.
He then subsequently came to my office, and he was the only
Foreign Service officer outside the European Bureau who
initiated contact and came to my office.

So he checked in with me several times over the last 2
weeks to see how I was doing. And I did describe my -- the
guidance meeting and what had occurred on the 3rd of October.

Q  And what was his response to --

A  He was concerned about that. He asked if I had
written it up. And I said, I wrote a note to the file. And
he asked if, in his capacity as a senior adviser to the
Secretary, in part, responsible for ensuring that the
Department leadership was connected to the career Foreign
Service, if I would mind sharing it with him so that he could
share it with other leaders of the Department, and I said I
had no problem. And so I shared with him a copy of my note
to the file.

Q  Did he say who he was going to share it with?
A He later told me he shared it with the Deputy Secretary Sullivan, Under Secretary Hale, and I believe the counselor -- sorry -- acting legal, Marek String.

Q And did he indicate to you what the -- any response was to sharing the memo?

A No.

Q Did he indicate to you who he had discussed a statement with?

A Not specifically.

Q Generally?

A He said leadership of the Department. That's -- so I presume that included people outside of the European Bureau, but I did not ask specifically which individuals he had engaged.

Q Did you have any further conversations about that statement with him?

A I did ask him, one of the times he dropped by my office. I asked him if that statement had gone anywhere, and he said, no.

Q Did he indicate why not?

A I don't know recall if he gave any specific information on why.

Q Anything else noteworthy about your conversations with Ambassador McKinley?

A I had had never met him. I actually had to Google
him. His career has not crossed mine. He's been an
ambassador in four places -- three times in South America and
Afghanistan. But he appeared to me in person to be a
genuinely decent person who was concerned about what was
happening.

And so I very much appreciated him reaching out on a
personal level and showing, as someone who's been an
ambassador in four missions, including Afghanistan,
understanding it's important to be responsive and engage the
people who work for you.

Q Did you share his concerns?
A Which concerns?
Q About how the career Foreign Service officers were
being treated during this process?
A Well, as I mentioned before, that's why I reached
out to the director general, Carol Perez, on October 1st
because I had concerns that outside of the European Bureau,
the leadership in the Department was not actually signaling
its support for the career Foreign Service officers.

Q All right. Mr. Kent, we're going spend some time
today discussing Ukraine policy as well as efforts by
nongovernment individuals to influence Ukraine policy. As
you no doubt are aware one of the central players in this
investigation is Rudy Giuliani. When did you first learn
that Rudy Giuliani had taken an interest in Ukraine?
A: Well --

Q: Or any Ukrainians?

A: I think it's a matter of record that the former mayor of New York and the current mayor of Kyiv have known each other for over a decade. Mayor Klychko is a former heavyweight boxing champion of the world. And so I believe that Giuliani first met Klychko, roughly, in 2008.

Q: Okay.

A: So I think Giuliani, as a person, a private individual, has traveled to Ukraine over the course of the last decade.

Q: When you were in Ukraine, did you ever meet with him?

A: I never met with him, never been in the presence of him, never had any communication with him.

Q: So other than, as of 2018, at some point, did you come to learn that Mr. Giuliani was actively engaged in matters relating to Ukraine?

A: The first indication that I heard of contacts in 2018 came in May 2018. The then-prosecutor general of the country, Yuriy Lutsenko, had planned to go to New York and his plane, KLM plane, was canceled. But my understanding was that his intent to go to New York was to meet with Rudy Giuliani.

Q: And did you understand what the purpose of that
meeting was?
A  At the time, no, because the meeting didn't happen.
Q  How did you learn about it?
A  There were stories in the Ukrainian media that he intended to go. I'd heard the story about the cancelation, KLM. Some of the stories later claimed that he did not have a visa. That was not true, because I know the plane had been canceled and he later traveled to New York. And also the head of Ukrainian diaspora organization [redacted], told me that he had had a conversation with Lutsenko and Lutsenko said his intent was to go to New York and meet with Giuliani.
Q  Were you still in --
A  I was in -- I left Kyiv, Ukraine on August 12th, 2018.
Q  And what did you learn about Mr. Giuliani's interactions with Mr. Lutsenko after that initial aborted trip?
A  The next time I heard Mr. Giuliani's name mentioned was on the 9th of January this year, 2019, when I was copied on an email that Giuliani was calling the State Department regarding the inability of the previous prosecutor general Viktor Shokin to get a visa to come to the United States.
Q  How did you learn about that?
A  I was copied on an email. Because I'm the Deputy
Assistant Secretary of State covering Ukraine, and it was a matter about Ukraine.

Q And did you have any involvement in that visa issue?
A I was involved extensively in conversations and exchanges over the next 2 days, yes.

Q Describe briefly who Viktor Shokin is.
A Viktor Shokin served as prosecutor general of Ukraine from, I believe his appointment date was February 10th, 2015, until sometime of the spring, perhaps late February, early March 2016. He was a longtime prosecutor. He was known to have been the godfather of then-President Poroshenko's kids. And he was someone with whom and about whom the U.S. Government had many conversations over that period of time as prosecutor general.

Q Was there a broad-based international assessment of his, whether or not he was a credible or corrupt prosecutor general?
A There was a broad-based consensus that he was a typical Ukraine prosecutor who lived a lifestyle far in excess of his government salary, who never prosecuted anybody known for having committed a crime, and having covered up crimes that were known to have been committed.

Q Who was the email from that you received on January 9th?
A: I do not recall. I believe it may have been from one of the staff in the Office of the Secretary of State, because Rudy Giuliani was trying to call into that office.

Q: And did you follow up on this email?

A: The initial redirection was to the Assistant Secretary of Consular Affairs, Mr. Risch.

Q: Okay. The redirection by who?

A: I was just copied on the email. Since it was about a visa, I think it was entirely appropriate for the matter to be referred to the part of the State Department that deals with visas.

Q: And what was Mr. Giuliani's involvement in this matter?

A: He was pushing a visa. He wanted Viktor Shokin to get a visa.

Q: Had Viktor Shokin been denied a visa at that point?

A: Apparently, Mr. Shokin did not have a valid visa at the time. I do not know whether he had been denied a visa recently.

MR. SWALWELL: Ambassador, can you spell "Risch"?

MR. KENT: I believe, with apologies to any German Americans, I think it is R-i-s-c-h, but sometimes names get changed. My original German name was Kindt, K-i-n-d-t, and then my great-great-grandmother changed to anglicize it to K-e-n-t.
MR. SWALWELL: Thank you.

BY MR. GOLDMAN

Q So describe generally what your role was in this visa matter, if any?

A There was a series of conversations between members of the Consular Affairs front office and European Affairs front office. For the European office, that included Assistant Secretary Wess Mitchell and myself principally. And to the best of my recollection, on the side of Consular Affairs, it would be Assistant Secretary Risch and the deputy assistant secretary for visas, who I believe is Ed Romatowski.

Q Just to try to get to the bottom line, Mr. Giuliani, what was the State Department's view about the propriety of a visa for Mr. Shokin?

A Mr. Shokin, as I mentioned, was well and very unfavorably known to us. And we felt, under no circumstances, should a visa be issued to someone who knowingly subverted and wasted U.S. taxpayer money. And as somebody who had a fiduciary responsibility for anticorruption programs, I felt personally strongly, Wess Mitchell felt very strongly that it was incorrect and so we stated that view clearly to our congressional -- to or Consular Affairs colleagues.

Q Okay. And what -- did you learn why Mr. Giuliani
was pushing to have a visa granted?

A To the best of my recollection, the story that he conveyed to my colleagues in Consular Affairs was that Shokin wanted to come to the United States to share information suggesting that there was corruption at the U.S. embassy.

Q And did you understand what he was referring to?

A Knowing Mr. Shokin, I had full faith that it was bunch of hooey, and he was looking to basically engage in a con game out of revenge because he'd lost his job.

Q And do you know whether there was any engagement with Mr. Giuliani on behalf of the State Department?

A To the best of my recollection, to my awareness based on the email exchanges, He may have had between two and three conversations with the Assistant Secretary in that period of time, Giuliani to Risch. No time did Wess Mitchell or I engage Giuliani.

Q And did you learn about the substance of those conversations from Mr. Risch?

A I shared what I recall, and I presume that either that was in one of those conversations were an email exchange, but I couldn't tell you for sure.

Q What ultimately happened with the visa application?

A When the State Department was not being responsive, my understanding is that former Mayor Giuliani attempted to call the White House, and deputy chief of staff, my
understanding deputy chief of staff, Rob Blair, then called
the State Department to ask for a background.

Q Who did Mr. Blair speak to in the State Department?
A In the end, I believe it was a conference call. I
participated sitting in Wess Mitchell's office. I believe
Consular Affairs may have also been on the call.

Q And can you describe the conversation?
A We laid out enough frank detail about U.S.
Government engagement and assessment of Mr. Shokin. And Mr.
Blair said, thank you very much. I've heard enough. He
identified his role at that point to ground truth the
situation and look out after the interest of the Office of
the President. And I took from his response to us that he'd
heard what he needed. And that was the last I heard about
that, and Mr. Shokin, to the best of my knowledge, did not
ever receive a visa and has not come to the U.S.

Q So after Mr. Giuliani reached, attempted to
convince the State Department to issue the visa directly, and
was told no, he then went around to the chief of staff's
office?
A That -- I do not know who he tried to reach at the
White House. I only know that Mr. Blair reached out to us to
ground truth the situation.

Q To your knowledge, had anyone in the State
Department informed Mr. Blair or the chief of staff's office?
A My understanding is he reached out to us, and we were responsive to him reaching out to us.

Q And did you understand the he learned about it from Mr. Giuliani?

A I do not if he had a direct conversation. To the best of my recollection, he said he was asked, which suggests that he did not have the conversation himself. I don't know.

Q Was this the first that you had heard about any concerns about the embassy in Kyiv?

A No. I was at the embassy in Kyiv when a series of corrupt prosecutors, including Shokin's team accused us of not sharing our assistance to improve the prosecutor service in Ukraine. And to my understanding, because it was released as part of the disinformation campaign, that included a letter from April 2016 which I signed as Charge.

Q Was that -- were those accusations accurate?

A The accusations were completely without merit.

Q Following this January 9th meeting, when is the next time that you learned about any involvement of Rudy Giuliani in Ukraine matters?

A On February 11th, there was a seminar hosted at the U.S. Institute of Peace, about the conflict in Donbas, and the Minister of Interior, Arsen Avakov, came and participated presenting his plans for what he calls a plan of small steps. We had a separate meeting, since I'm the leading
policymaker focused on the region. And during that meeting, he let me know that Yuriy Lutsenko, the then-prosecutor general of Ukraine, had made a private trip to New York in which he met Rudy Giuliani. I said, did he know what the purpose was, and the Minister of Interior Avakov said it was to throw mud. And I said, throw mud at whom? And he said, a lot of people. I asked him, whom? And he said, towards Masha, towards you, towards others.

Q Masha is Marie Yovanovitch?
A Former Ambassador Yovanovitch, yes.
Q Did he say -- name any other names?
A At that point, to the best of my recollection, he mentioned specifically Masha and me, and then said others but did not mention the others.
Q Where was this meeting?
A It would have either happened at the U.S. Institute of Peace or in my office, which is right across the street. The State Department and USIP are across the street.
Q Did he explain in any more detail what he had learned about the conversations between Lutsenko and Giuliani?
A He was just passing along information. That was not the purpose of the meeting. The meeting was to talk about our assistance programs. He oversees the law enforcement reform. It was to talk about Ukrainian politics.
Frankly, at the time, he was the second most powerful person in the country after President Poroshenko. It was to talk about his ideas about trying to bring peace to the Donbas. And his comment about Lutsenko's trip and meeting with Giuliani was and, Oh, by the way, probably the last thing he said before we finished the meeting.

Q    Did he express -- why did he mention this to you?
A    I don't know. I would say that Mr. Avakov likes to keep lines of communication open to all sides and -- but I cannot say why he chose to share that information.

Q    Did he express any concerns about this?
A    He thought it was the wrong thing to do. He thought Lutsenko was a fool to have made a private trip and to have done what he did.

Q    Do you know whether he was aware of Mr. Giuliani's connection to President Trump?
A    Mr. Avakov?
Q    Yes.
A    Mr. Avakov is a very well-informed person, and I'm absolutely sure he knew who Giuliani was connected to.

Q    Did you, after learning this information, what, if anything -- what if any conversations did you have with anyone else about the information you learned?
A    I cannot say with complete certainty, but I know that I shared the information that Avakov passed to me with
others.

Q  Who else?
A  Based on my normal procedures I would guess that I shared it with people who followed Ukraine in the European Bureau, as well as with the leadership of or embassy in Kyiv.

Q  Do you know what mud Lutsenko and Giuliani were discussing in connection to you?
A  I did not know, no.

Q  At that time you did not know?
A  I still don't know.

Q  You haven't seen memoranda that --
A  I've seen the letter that I signed in April 2016.

I don't know if that's all. I've seen a fake list that had my business card that I used temporarily in 2015, when I was at the embassy as acting DCM. The business card was the one I used in 2015, the letter itself was completely fake with lots of misspellings. But I have never -- no one has ever shown me what Lutsenko might have been passing to Giuliani. So I did not know then and I still do not know now.

Q  You mentioned the documents that the State IG had provided to Congress. Have you reviewed those?
A  They were not -- no one shared this with me, no.

So I -- what I have been told, I first learned about it from reporter who emailed me, a person I'd never had contact with, and to whom I did not respond, who claimed that
she had seen the documents and asked me a question, and with
the many dozens of emails from media over the last several
weeks, since this story started, I didn't answer a single
one, I forwarded them all to our press officer.

Q  Was this recent?
A  This was after -- it was probably a day or 2 after
the IG came up and passed documents.

Q  Did you speak to Ambassador Yovanovitch about the
collection that you had with Mr. Avakov?
A  I did not -- well, I cannot say for certain. I
mean, again, the conversation was February 11th. That was
the day of the seminar. I could say -- I cannot say for
certain whether I talked or whether I sent a brief email.

Q  Okay.
A  My guess is, to the best of my recollection, I
conveyed the information.

Q  Did you become aware of whether Ambassador
Yovanovitch had also spoken with Mr. Avakov around this time?
A  I believe it may have been that conversation that
she shared that she had had a similar conversation with him.

Q  At that point did you understand what Rudy
Giuliani's interest was in meeting with Lutsenko?
A  I did not have any visibility. I had better
insights into the mind of Yuriy Lutsenko than I did of Rudy
Giuliani.
Q  And what were those insights into Mr. Lutsenko?
A  Mr. Lutsenko is somebody with whom the embassy had a long relationship dating back to the Orange Revolution period, which is when I first met him. And at that time he was a seemingly pro-Western politician. We met with him, he's a very gregarious, outgoing person. He was imprisoned for 2 years under former President Yanokovitch, and he came out and resumed politics. When Shokin was forced out, the intent of then-President Poroshenko was to appoint someone he trusted. Yuriy Lutsenko is also the godfather of his kids. And the question was whether someone who didn't have a law degree could be a reliable partner to try to reform the prosecutorial service.

So I had a series of meetings with him in the spring of 2016 to judge and assess whether he would be a serious partner for us. And so, that was the initial, if you will, renewal of a relationship. Subsequent to that time, it was very clear that Mr. Lutsenko was not any more serious about reforming the corrupt prosecutorial service than Viktor Shokin had been. And at that point, our relationship -- not personal to me, but the relationship between the embassy and Mr. Lutsenko began to sour.

Q  So it was the embassy and the U.S. view that Mr. Lutsenko was another corrupt prosecutor general?
A  That was our assessment, yes.
Q When you spoke to Mr. Avakov, did you learn whether Mr. Giuliani was working with anyone else on matters related to Ukraine?

A He just mentioned his -- his -- this is, by the way, aside. Again, he's a Ukraine politician serving as minister of interior, he was talking about another Ukraine politician serving as prosecutor general, and his focus was on that dynamic. And because he said he'd heard my name mentioned, he'd passed that along.

Q When was the next time that Rudy Giuliani came up in conversation?

THE CHAIRMAN: A question if I could. just for clarification. You mentioned a letter with misspellings and forgery.

MR. KENT: Yes?

THE CHAIRMAN: Can you tell us what that letter was and what you know of its provenance?

MR. KENT: Well, that was part of series of news articles that came out I believe starting March 20th, this spring. There with a number of articles that were initially led by John Solomon of The Hill, who gave -- who took an interview with Yuriy Lutsenko earlier in March. And so, there was, I believe, video somewhere, there certainly were pictures of them doing interview. And it's part of a series of articles, it was an intense campaign. One of those
articles released because the interview on the first day
Lutsenko had claimed that Ambassador Yovanovitch had given
him a list in their first meeting of people not to prosecute.
Several days later, a list of names was circulated on the
internet, with -- the photograph had a copy of my temporary
business card that I used for a short period of time in 2015.
So it was a real -- it didn't look like a regular business
card. It was the one that we did on the embassy printer. So
I think the card was genuine, and someone attached that to a
list of names that was a hodgepodge of names.

Some of the people I had to google, I had not heard of.
Half the names were misspelled. Not the way that any
American, or even Ukrainian, or Russian would transliterate
Ukrainian names. My best guess, just from a linguistics
semantic point is the person who created the fake list was
either Czech or Serbian.

THE CHAIRMAN: So when you referred earlier to a forged
letter, you were referring to the forged do-not-prosecute
list?

MR. KENT: That was -- yeah. This was the -- it wasn't
a letter, it was just a list of names with my actual business
card attached.

THE CHAIRMAN: Thank you.

BY MR GOLDMAN:

Q When was the next time that you learned anything
being Mr. Giuliani's involvement in Ukraine, after February 11th?

A Well, Mr. Giuliani was almost unmissable starting in mid-March. As the news campaign, or campaign of slander against, not only Ambassador Yovanovitch unfolded, he had a very high -- a media promise, so he was on TV, his Twitter feed ramped up and it was all focused on Ukraine, and it was focused on the four story lines that unfolded in those days between March 20 and 23rd.

Q Where do those story lines unfold?

A They unfolded both in the U.S. media and the Ukrainian media, simultaneously in peril.

Q What U.S. media outlets?

A Well, Mr. Solomon started off in The Hill, as I recall. There was a lot of tweeting, and of people that I had not previously been aware of, and then that also then played into late night television, subsequent days, both the Hannity Show and the Laura Ingraham Show covered this topic extensively.

Q That original John Solomon article, was that based on accurate information?

A It was based on an interview with Yuriy Lutsenko.

Q And was the information that Mr. Lutsenko provided accurate, to your knowledge?

A No. It was, if not entirely made up in full cloth,
it was primarily non-truths and non-sequiturs.

The interview was broken into two parts. The first part was focused on any corruption efforts in which he went after the Ambassador and other actors on anticorruption issues. I think that is where he claimed that we hadn't shared his money, meaning his assistance to the prosecutor general's office.

And the second half of the first wave theme was looking back at the 2016 campaign and allegations that the National Anti-Corruption Bureau head, a person name Artem Sytnyk, had somehow provided the list of people taking money from the discredited pro-Russian party, Party of Regions, back in 2016.

So that was day one. There were two story lines that were launched more or less in parallel that were covered extensively in the U.S. press, first by The Hill and amplifiers, and in Ukraine by what are known as Porokhobots, trolls on the internet, particularly Facebook, in support of then-President Poroshenko and against the people that are perceived to be Poroshenko's opponents.

Q You said there were some, I think you said, surprising Twitter --

A I honestly -- I have forgotten my Twitter password. I'm not on the Twittersphere. So they are just names that did not mean anything to me until they all of a sudden became
very active, talking about Ukraine and particularly the activities of our embassy in Ukraine.

Q: Were you aware of whether the President retweeted this John Solomon article?
A: To the best of my recollection, the President may have retweeted something affiliated with the Hannity Show the second day.

Q: Did it reference John Solomon, as you recall?
A: I honestly, again, I have started following Twitter more than I did before March, but I was not an active follower at that point.

Q: Prior to the initial Hill article between February 11th and March 20th, was there any engagement that you had, either with the Ukrainian -- on the Ukrainian side, or with any State Department officials about any of these issues related to Rudy Giuliani?

THE CHAIRMAN: If I could -- just for clarification again, I think I mentioned one or two of the story lines, but you said there were four story lines. Can you tell us what the other story lines were?

MR. KENT: The third story line that came out the next day was focused on the Bidens and Burisma, that was the third story line. The fourth one that came out of day after was going after some civil society organizations, including anticorruption action center that were described as Soros
organizations?

BY MR. GOLDMAN:

Q I want to -- we're going to go through these four a little bit in more depth, but I want to make sure that there's nothing else that occurred between February 11th and March 20th of note on this topic?

A I received an email from our embassy on March 19th, the deputy director of the National Anti-Corruption Bureau for Ukraine, usually referred to as NABU, that was set up in 2015 and proved very effective at trying to investigate high-level corruption as it was intended to do. The deputy director was a former Georgian national named Gizo Uglava. And he came into the embassy and described his conversation the night before with a completely inebriated, drunk, Yuriy Lutsenko, and Lutsenko was angry. He said he'd given an interview with an American journalist 2 weeks prior and that interview that he had accused the embassy of undermining him, and that was his motivation, and that the embassy had been supportive of the Democrat party, and was not supportive of the Trump party and that -- so basically the lines of attack that then came out in the subsequent articles, Lutsenko shared with this other law enforcement individual, who then came and shared what he had heard from Lutsenko the night before.

Q To the embassy?
A To the embassy, yes.

Q And prior to March 19th, there was no other indication other than television or --

A To the best of my recollection, the story was not in play publicly until the first articles appeared. And to the best of my recollection, somebody from The Hill reached out to us in the early evening, or the very end of the work day on the 19th, and asked the press officer of the European Bureau whether we had reaction to a number of assertions, allegations.

Q All right. Let's go through -- just give me one minute.

[Discussion off the record.]

BY MR. GOLDMAN:

Q So did you understand why the Ukrainian law enforcement source went to the embassy to describe what a drunk Lutsenko had said?

A I believe, first of all, Mr. Uglava had a very good working relationship with the embassy. His organization, NABU, was one of the key anticorruption organizations that had been stood up after the Revolution of Dignity. It was in its first year, it was functioning surprisingly well, meaning it was putting together investigations on high-level corrupt individuals. And because of its initial effectiveness, which I think surprised a lot of people, it then became a target of
people in places of influence, because it had been effective. And one of the people that was looking to destroy NABU as an effective Bureau was Yuriy Lutsenko.

Q And did the information that you received about this, was that in writing or was it on the phone?

A I received it in an email from the embassy. And that email should be part of the records collected, not individually, but the State Department has a system, that is supposed to automatically be able to pull all emails and cables that have key words. That's my understanding of how that material should be provided eventually to the committees after review.

Q Could you just summarize for us the four lines that you -- lines of --

A I think the four story lines that played out in the media, the first one was the anticorruption line in which the embassy was attacked, and anticorruption actors in Ukraine were attacked. The second line was the 2016 cycle, allegations that somehow, somebody, whether it was Ukrainians or people at the embassy had animus towards Paul Manafort. The third line was a line of reporting related to the Bidens, and the interconnectivity between Vice President Biden's role alleged interconnectivity between Vice President Biden's role and pushing our anticorruption agenda, and the presence of his son, Hunter Biden, on the board of the gas company
Burisma. And the fourth line of attack was alleging that certain civil society organizations were funded by the Soros organization.

Q Now, based on your time as DCM there, which would have overlapped with some of these events, as well as your expertise in the area and your current role as the Deputy Assistant Secretary of State, did you believe that there was any merit to any of those four story lines?

A I did not.

Q I believe our time is up so I yield to the minority.

BY MR. CASTOR:

Q What did your State Department officials do to try to counteract these stories that you believe were totally fabricated?

A Correct.

Q What did you or State Department officials do to try to counteract these stories?

A When stories, media occurs about any of the issues in our area of responsibility, particularly when they touch on allegations or assertions about U.S. policy, or U.S. issues, the responsible part of the State Department with the press officers and the team in embassies work together to prepare press guidance, and that can be a combination of either guidance, if asked, or if a situation warrants it,
statements that would usually come out by the spokeswoman.

Q Right, so what did you do?
A So immediately since our Ambassador and embassy was being attacked with allegations that we felt were completing baseless, we prepared press guidance, and I believe the record -- the public record would show that the media outlets quoted that press guidance.

Q And was that it?
A That was it for those initial days, yes. In terms of the public stance in response to media articles.

Q Was that sufficient to counteract the narrative?
A The narrative continued to be pushed until the narrative was still out there. It accelerated on whatever that Sunday was, because the son of the President issued a Tweet in which he suggested that we needed more like Ambassadors like Rick Grenell and fewer, I believe he may have hashtagged Obama appointee was the point, and it was taken by people as an attack on Ambassador Yovanovitch.

Q So what else did the State Department do? I mean, this seems like it is a major threat to the Ambassador, and major threat to the State Department. What type of additional full-throated maneuvers did the State Department take here?
A The request from the embassy endorsed by the European Bureau, there should be a high-level endorsement of
Ambassador Yovanovitch.

Q And then what happened there?
A There was no high-level Department endorsement of Ambassador Yovanovitch.

Q What did the State Department do? You described a series of complete falsehoods in your words.
A Yes.

Q Fabrications, a fake list, that is going to the heart of the ability of the Ambassador to serve effectively.
A Correct.

Q And so is it fair to say this was a big league crisis for the Ambassador?
A This particularly after there were Tweets by members of the Presidential family, it was clearly a crisis for Ambassador Yovanovitch and a crisis that was threatening to consume the relationship. So our recommendation to our superiors was that there should be a clear statement of support for Ambassador Yovanovitch.

Q Clear statement of support, and obviously there was a media statement --
A The initial media guidance that we released and was quoted extensively was, I think, complete fabrication, utter nonsense as well as in rebutting Prosecutor General Lutsenko's allegation that somehow we had misdirected assistance met for the prosecutor general. We said something
along the lines that we had a fiduciary responsibility to the
American taxpayer and when our assistance was not going to
good use, we redirected it for more productive purposes.

And so, those were the initial lines in that first
couple of days. When we got to the weekend, past the Sunday
morning talk shows, saw the President's Tweet against the
Ambassador. The question that consumed us was what do we
need next? And how do we show support for Ambassador
Yovanovitch?

Q And what does the State Department do? It didn't
seem like the efforts were sufficient.

A There were exchanges at this point with officials,
including, to the best of my recollection, Under Secretary
Hale. It may have included the Counselor of the Department,
Brechbuhl, at that point. And there was a suggestion made,
and I can't remember by whom, initially, but eventually,
Gordon Sondland, our Ambassador to U.S. EU also joined some
of the back and forth that Ambassador Yovanovitch should
issue a statement, or do a video or tweet declaring full
support for the foreign policy of President Trump,
especially asking her to defend herself as opposed to having
the State Department defend her.

Q You talked about the four lines. And the first one
you said was the anticorruption actors were being attacked,
was that part of the non prosecution list?
A The non prosecution, or the allegation that
Ambassador Yovanovitch, in her first meeting with Yuriy
Lutsenko, which, if I recall correctly, occurred in October
2016. He alleged that there had been this list. There was
no such list, and that was part of our reason for pushing
back firmly. And -- but that was part of, I would say, a
cluster of issues around the anticorruption theme.

Q Has the embassy ever communicated names not to
prosecute for any reason?

A That's not what the purpose of our advocacy, or our
program is. Our advocacy is to help, in terms of
programming, is to build capacity, so they can have the
ability to go after corruption and effectively investigate,
prosecute, and then a judge allege criminal activities. The
issue of whether we asked at any time that they follow up on
a prosecution, if there is a criminal nexus in the United
States, we have several different ways of conveying that
interest. We have something called the Mutual Legal
Assistance Treaty, or MLAT. We also have FBI agents known as
legal attaches overseas. So we can do it in writing direct
from the Department of Justice, or we can have the legal
attaches engage their counterparts.

But what Lutsenko alleged was that we were not doing a
law-enforcement-to-law-enforcement request based on a
criminal nexus in the United States but that we were
politically asking them not to prosecute Ukrainians. And we just don't do that.
[11:37 a.m.]

BY MR. CASTOR:

Q At any point in time were names of officials, whether it was for any reason, shared with the prosecutor's office in connection with do not prosecute?

A Well, again, we don't go in and say do not prosecute. The types of conversations that we have that might be construed are different.

Q You mentioned the name Sytnyk earlier?

A Artem Sytnyk who is the still and the first head of the so-called NABU, National Anti-Corruption Bureau of Ukraine.

Q And was he ever in the cross hairs of Lutsenko?

A He was.

Q Was he being investigated?

A To the best of my knowledge, yes, there were open prosecutor general investigations on Mr. Sytnyk.

Q Do you know if anyone at the embassy ever asked Lutsenko not to investigate Sytnyk?

A What I would say, I would characterize the interactions as different because what we warned both Lutsenko and others that efforts to destroy NABU as an organization, including opening up investigations of Sytnyk, threatened to unravel a key component of our anticorruption cooperation, which had started at the request of Petro
Poroshenko.

Q I mean, could reasonable people interpret that as a request not to investigate Sytnyk?

A I am sure that Mr. Lutsenko has claimed that, but he also claimed that there was a list, and there was no list, and he made a lot of other claims. And so as I said, this is an issue of believability about someone who routinely lies.

Q You're familiar with the name Shabunin?

A Vitali Shabunin perhaps? Is that --

Q Yeah. And could you identify him for us?

A He is one of the leaders of the NGO known as AnTAC, it's the anticorruption center in Ukraine.

Q What's AnTAC's role?

A AnTAC is an advocacy group that is designed to both publicly bring attention to issues related to corruption, to advocate for better laws and better prosecutions, and on occasion it has also participated in some of the capacity-building activities that were funded by the U.S. Government.

Q Who funds AnTAC?

A AnTAC is an organization, has funding that, to the best of my knowledge, includes primarily funds from the European Union and the U.S. Government. It has also received grants from the International Renaissance Foundation, which is the Ukrainian name and arm of the Open Society Institute.
Q And who runs the Open Society Institute?

A The Open Society Institute was initiated 20-odd years ago by George Soros.

Q Can you remember -- sorry. Do you know if the name Vitali -- I apologize for these pronunciations.

A That's okay.

Q I'm not familiar with how to do this properly, and I apologize. I mean no disrespect.

A I'm not Ukrainian, so --

Q Vitali Shabunin, do you know if he was ever the subject of a prosecution in Ukraine by Lutsenko?

A I do not know. To the best of my knowledge, he was subject to harassment by the securities service known as the Security Bureau of Ukraine. There was an incident where someone threw what's known as bright green, it's iodine-based disinfectant, and they actually threw it on his face near his house. It can damage eyes but is oftentimes done as a form of intimidation in the former Soviet Union.

So because Shabunin was outspoken, he was certainly the target of harassment. But I don't know for certain whether there was an active criminal investigation by the prosecutor general's office.

Q Was he ever up on charges of hooliganism or something to that effect?

A I believe when the person who was picketing his
house and throwing this green material on him, and claiming
to be a journalist even though he wasn't, provoked him, and
Shabunin pushed him near his house. Yes, he was then -- I
think there was a charge of alleged hooliganism.

Q Do you know if anyone ever tried to communicate
with Lutsenko's office that this was not a worthwhile charge
to pursue?

A I think, you know, if we're going back -- I don't
know specifically about that particular incident or charge,
but as a matter of conversation that U.S. officials had with
Ukrainian officials in sharing our concern about the
direction of governance and the approach, harassment of civil
society activists, including Mr. Shabunin, was one of the
issues we raised, yes.

Q Was Shabunin on this list that you described as
fake?

A I don't know if that list has been provided to the
committee. You could show me the list and I might have some
recolleeion. But I --

Q Okay. Do you have any recollection of who was on
that list?

A There were about 15 names, and I remember it was
very odd. It included the country's leading rock star Slava
Vakarchuk, who is now the leader of one of the parties in
parliament. It included very bizarrely a person who was a
friend of the current -- the ex-President Poroshenko and was head of the overseer of the defense industry named Gladkovskiy, and in parentheses it had his previous name, Svinarchuk. The reason why that's memorable is because it means a pig or a pig farmer, and he changed his name before he went into government so he didn't have a name that said basically Mr. Piggy. But no one knew that that was really -- knew that was his name when the list allegedly was created in 2016. That was a story line from 2019.

There were a couple of young so-called Euro optimist MPs where friends had joined Poroshenko's party but then become sort of critics of President Poroshenko. Their names include Mustafa Nayyem, Svitlana Zalishchuk, and Serhiy Leshchenko. I believe the former defense minister, who was running for President at the time, Anatoliy Hrytsenko, was at the list. There was a judge I'd never heard of. And there may have been other people on that list. I just don't remember the full list.

Q What do you know about Leshchenko?
A Serhiy Leshchenko was a journalist for Ukrainskaya Pravda, which is an online -- the leading online news source in Ukraine. He ran for parliament as one of the young pro-western members of then-President Poroshenko's party. He continued to act as an investigative-style public figure even as a member of parliament.
He did not get reelected in the parliamentary elections in September. And because he was an active parliamentarian, because he had been an investigative journalist, he was someone that the U.S. Embassy had known for years.

Q What was his role in the Manafort issue?

A To the best of my recollection he was one of the individuals who helped popularize the information that came out of the black book. I believe Andy Kramer from The New York Times was the first person to write a story in English about it. Andy came and talked to me sometime in late 2015, 2016. I do not recall. He was based in Moscow, so he was not there in Kyiv that often.

But at some point Andy shared with me where he had heard the first information. And so I believe, although I cannot say for sure, that Mr. Kramer may have shared that he had talked to Leshchenko as one of his sources for that early article.

Q Were there other sources of information regarding Manafort pushing out of Ukraine?

A About -- well, Mr. Manafort operated in Ukraine for over a decade. So are you specifically saying about his entire time, or what's the specific --

Q Around that timeframe, which of course is -- you know, mid-2016 is when he became involved with the President's campaign.
A Right. Because Mr. Manafort had spent a decade in Ukraine, Ukrainians followed his reemergence as a U.S. figure very closely.

Q And was Leshchenko the primary person bringing that to the attention of The New York Times and the other --

A No. I think, all Ukrainians, they didn't need a single person doing it. Because Mr. Manafort first appeared in Ukraine in 2005 when he was hired by former Prime Minister Yanukovych who tried the steal the election that became the Orange Revolution, that was the end of 2004.

To the best of my recollection, in this case it's actually quite good because I was with Ambassador Herbst at the time when Yanukovych told us that he'd hired Manafort, and that was the spring of 2005. So Mr. Manafort's time in Ukraine started in 2005, and according to public records, he participated up through the campaigns of 2014.

Q Now, the allegation that the embassy shared an animus about Manafort or was interested in pushing information to the forefront, is that an accurate description of the second narrative that was pushed in the March 2019 timeframe?

A That is part of what Yuriy Lutsenko in that narrative pushed, yes.

Q Okay.

A It's, again, inaccurate, not accurate
characterization.

Q Okay. Is it accurate that somebody in the Ukraine, not from the embassy, but somebody, maybe Ukrainians, were pushing this narrative?

A I think it would be accurate to say, given what President Yanukovych did to the country, which was loot tens of billions of dollars, that there were many Ukrainians who in part blamed Paul Manafort for that success because he proved to be a brilliant political technologist in giving Yanukovych advice that helped him win the presidency.

Q And do you think people in the U.S., supporters of President Trump that saw this information come out of the Ukraine may have wondered if this was an effort to attack the President or the President when he was a candidate?

THE CHAIRMAN: Counsel, are you asking what the American public -- an opinion about what the American public might believe?

BY MR. CASTOR:

Q No. Is it reasonable -- I'll restate it.

A Well, I will just say, I was in Ukraine at the time so I don't know what the reaction was.

Q Is it reasonable to conclude that if you are in President Trump's world and you're seeing these stories coming out of the Ukraine that it appears to have the look of a political attack?
THE CHAIRMAN: The witness can answer if they wish, but you're asking the State Department witness a question about how to evaluate the public response to --

MR. MEADOWS: Mr. Chairman, with all due respect, with all due respect, we didn't cross-examine you or -- you're not the counselor.

THE CHAIRMAN: Mr. Meadows, I said the witness can answer, but it seems --

MR. CASTOR: Okay. Thank you.

THE CHAIRMAN: But it seems that you're asking for an answer that's beyond the knowledge of a State Department witness.

BY MR. CASTOR:

Q Was that part of the second narrative that you described that, you know, injecting the Manafort was an effort to attack then-candidate Trump?

A Again, I can't say how any individual, any American would react to a narrative. I can only answer for myself and the knowledge I had. And I'll tell you what I told Ukrainians in 2016. I said that Paul Manafort was an extremely successful political adviser who had helped President Yanukovych win, and no one should underestimate his abilities to help any candidate that he advised. And that was my assessment of his professional ability to help a candidate win, regardless of the country.
Q  Do you think the second narrative that either
Lutsenko is pushing or the journalist he was dealing with in
the United States were pushing, do you think that related to
trying to spin up President Trump's supporters?
A  You're asking me to speculate on what Yuriy
Lutsenko, Rudy Giuliani, and John Solomon were doing, and I
would suggest that's a question for those three individuals.
Q  Did it have the effect of that though?
A  It's hard for me to make an assessment since there
were so many story lines put in play at the same time to
assess how any one of those story lines had an effect on any
given audience.
Q  Did the State Department zero in on that particular
story line, or did they approach all of these four at the
same time?
A  Our primary concern was that our Ambassador and our
embassy were being subjected to inaccurate accusations. But
as situational awareness, we followed or tried to follow
because the volume was intense, the various different
stories.
Q  The third story line was relating to Burisma?
A  Correct.
Q  And what's your knowledge of Burisma's corruption
history and efforts to prosecute Burisma?
A  I first became aware of the owner of Burisma,
Mykola Zlochevsky, when I first went to our embassy in mid-January 2015. I went for a short period of time. At the time I was the senior anticorruption coordinator, but I'd already been selected to be the next deputy chief of mission. So my predecessor had a 3-week break. He was going back to [redacted]. and I was asked to go out, because so much was happening at the time, the Russians were pushing the final push to take as much territory as they could, that they needed an extra officer. And as well, Ambassador Pyatt thought I could be helpful in the anticorruption front.

I was asked by my professional Department of Justice former prosecutor, who was engaged in capacity building, [redacted] if I would be willing to go in and talk to the prosecutor general's office, because in late December 2014, somebody in the prosecutor general's office of Ukraine -- this is, to be clear, pre Lutsenko, pre Shokin, a different corrupt, ineffective prosecutor -- who inexplicably had shut the criminal case that had been the basis for a British court to freeze $23 million in assets held by Mykola Zlochevsky.

That was an issue of our interest because we had made a commitment to the Ukrainian Government in 2014 to try to recover an estimated tens of billions of dollars of stolen assets out of the country. The first case that U.S., U.K.,
and Ukrainian investigators worked on was a case against
Zlochevsky, and that's because the British Serious Crimes
Office had already opened up a case, an investigation against
Zlochevsky.

We spent roughly half a million dollars of State
Department money in support of the FBI and this investigation
and to build capacity to track down stolen assets. And so,
again, I had a fiduciary responsibility -- I'd previously
been the director of the office which provided that funds to
find out what had happened and why were our monies being
wasted.

So armed with the facts that the DOJ rep gave me, we
asked for a meeting at the prosecutor general's office. They
made the deputy prosecutor general named Donylenko available.
And so I went into his office, February 3, 2015, and said,
how much was the bribe and who took it? And he laughed and
said, ha ha ha ha, that's what President Poroshenko asked us
last week. And I said, and what did you tell him? And he
said $7 million, and it happened in May before our team came
in, May of 2014.

I said, wrong. Somebody, a prosecutor under your
command, signed a letter on December 25 -- which is not
Christmas in Ukraine. They celebrate it late -- and provided
it to the lawyer who provided it to the British judge before
the FBI and the Serious Crimes Office could react. So that
was 6 months after your team came into the office.

He did not offer the name of anyone he suspected of having taken the bribe. He did, however, say, well, I've been friends with Zlochevsky for 21 years, and he's in Dubai right now. Here's his phone number. Do you want it? And I said, no, I think you should actually arrest him next time he comes back to Ukraine.

But I want to make very clear the seriousness with which the U.S. Government takes this because we spent months and hundreds of thousands of dollars trying to help your country get your stolen assets back, and somebody in your office took a bribe and shut a case, and we're angry.

So that was my introduction. And the focus at that point was on Zlochevsky the person, the ex-minister, when he was minister of ecology, which oversees the unit that issues the licenses to do substrata geologic exploration for gas. He awarded it to a series of companies that happened to be either through shell companies or affiliated with the holdings, which was known as Burisma.

But the focus at the time, the case in 2014, in the frozen assets, was the assets frozen for Zlochevsky, the minister, not directed to the conduct of Burisma, the company.

Q Okay. But he controlled Burisma?

A Yes. Whatever the roster may say, he's the
Q  And did they suffer from allegations of corruption, the company?

A  The company, which is actually a major player, thanks to all the licenses he granted to himself, when he was a minister, is a serious gas producer, but its reputation in the industry is a company that throws elbows and uses political strings. So it's a legitimate company, but it does not have a good reputation in Ukraine.

Q  Because it has a history of corruption?

A  Because it has a history of not just competing on quality of service.

Q  Okay. But is that a euphemism for corrupt activities?

A  He was the minister and he granted himself licenses to explore gas.

Q  Okay. But you're agreeing with me, right, this is --

A  Yes. And it was the position of the U.S. when I went into that office in February 3 that the prosecutor general should, first of all, prosecute whoever took the bribe and shut the case, and second of all, there was still the outstanding issue of trying to recover the stolen assets.

Q  You had some firsthand experience with anticorruption issues in 2014, 2015, and then you went to
Kyiv in 2015, correct?

A Correct.

Q What else can you tell us about issues relating to the company, related to corruption?

A Well, I think, that pretty much sums it up. If you're asking about the corruption of the company, there is the issue of how they got the licenses and then their reputation. And so our concern was primarily focused on the fact that we, working with the U.K. and Ukrainian law enforcement authorities, had frozen assets that, to the best of my knowledge, were in accounts that were under his name.

Q When did that occur?

A The action -- this was all in 2014. And, again, to the best of my knowledge, the reason why this was the first effort to try to recover stolen assets is because the U.K. Serious Crimes Office had opened up a case in the spring of 2014, and as we were talking to the Ukrainians, how can we be of help, there was a stolen assets recovery conference in London co-hosted by the attorney general and the U.K. counterpart and the World Bank that this became the test case for our ability as partners in the U.S., U.K. playing a key role together to try to recover stolen assets from the previous government.

Q Did the company ever engage in, you know, public efforts to rehabilitate their image?
A Yes.
Q And what were those?
A I later became aware -- I did not know it at the
time because, again, my focus was on Zlochevsky -- that one
of the ways that they did was to appoint westerners to their
board.
Q Corporate governance experts?
A Westerners.
Q But not corporate governance experts?
A I don't know all the members' backgrounds. And
I've served my entire life in government service, so I'm not
familiar with corporate boards.
Q Do you know who they appointed to their board?
A The big name in Ukraine was former President of
Poland, Aleksander Kwasniewski.
Q And why was he appointed to the board?
A I don't know. I've never met Mr. Zlochevsky, and I
do not know why they did what they did.
Q Anybody else that you recall appointed to the
board?
A It's become clear in public knowledge that Hunter
Biden, the son of then-Vice President Biden, was also
appointed to the board.
Q Any idea why they wanted to name him to the board?
A Again, I've never had a conversation with
Zlochevsky, so I don't know.

Q  But it was probably because his dad was the Vice President?
A  That's a question for Zlochevsky. That's, I think, how people have interpreted it.

Q  That's a reasonable interpretation, right?
A  As I said, I have never had a conversation with Mr. Zlochevsky.

Q  Did he have any experience in the natural gas business?
A  I have never met nor do I know the background of Hunter Biden.

Q  Okay. So you don't know if he spoke any of the relevant languages?
A  I do not know.

Q  Do you know if he moved to Ukraine?
A  I don't know.

Q  Do you know how much he got paid?
A  I have not seen any documents. I've heard people make suggestions.

Q  Did he get paid a lot?
A  I'm a U.S. Government employee. I don't know how much corporate board members get in any country, but I understand a lot of people get paid a lot of money.

Q  It wasn't a nominal fee.
A: Again, I don't work in the corporate sector so I don't know what standard board compensation would be.

Q: Okay. I mean, it's been reported that it's somewhere in the neighborhood of $50,000 a month or more?

A: I have read articles, and I have no idea how much Burisma may pay its board members.

Q: Have you ever met with -- during your time in Kyiv, did you ever meet with anybody on the board of Burisma? Did they pay a courtesy call on the embassy?

A: I personally never met and I don't know if board members met with the embassy. I don't know.

Q: Did anybody affiliated with the company ever pay a courtesy call in the embassy to try to help the embassy understand the company is engaging in rehabilitating their image?

A: Again, I can only speak for myself. And there was no one affiliated with Burisma that asked to come to the embassy to meet me. But that's me as the DCM over a 3-year period of time.

Q: In engaging with some of these anticorruption-focused organizations, whether it's NABU or AnTAC, did you have any firsthand experience of the efforts that Burisma was trying to rehabilitate their image, whether -- you know, did NABU communicate that to you?

A: That would not have been a conversation that we had
with NABU. I will say that now that you mention it, there apparently was an effort for Burisma to help cosponsor. I guess, a contest that USAID was sponsoring related to clean energy. And when I heard about it I asked USAID to stop that sponsorship.

Q  Why?
A  Because Burisma had a poor reputation in the business, and I didn't think it was appropriate for the U.S. Government to be cosponsoring something with a company that had a bad reputation.

Q  When was that?
A  I would believe that would be sometime in mid-2016.

Q  Okay. Any other communications with, you know, AnTAC officials or NABU about Burisma and their effort to rehabilitate themselves?
A  I do not recall direct communications with anybody from AnTAC. I do know that the former Ambassador to Ukraine, John Herbst, whom I mentioned previously, had been on the board, I believe, of AnTAC. And he recounted to me an exchange with another member of the AnTAC board named Daria Kaleniuk, who criticized him because the Atlantic Council, where he runs the Ukraine Project, agreed to take Burisma as a corporate sponsor. And so Daria criticized the Atlantic Council for doing so.

Q  When was Ambassador Herbst -- when was his tenure?
A: He was Ambassador to Ukraine between 2003 and 2006.
Q: So before --
A: Before Bill Taylor.
Q: Well, before -- okay. Maybe it would be helpful to just go through the chronology of the ambassadors. We've got Herbst, and then -- to the extent you remember. This isn't a quiz.
A: Again, I went to -- I was then serving in Thailand afterwards, so I wasn't necessarily focused on Ukraine. We had Ambassador Herbst. We had Ambassador Taylor, I believe from 2006 to the 2009. The next Ambassador, I believe, was John Tefft. And then the next Ambassador after that was Geoff Pyatt. And then there was Ambassador Yovanovitch.
Q: The fourth narrative you identified, you know, going after the civil society organizations --
A: Right.
Q: -- and you identified NABU and AnTAC, right?
A: Right. NABU was a -- well, it was -- AnTAC was a civil society organization, and the other one that I recall being mentioned early on was something called the Ukraine Crisis Media Center, which was set up to help be a sort of platform for information about Ukraine starting during the Revolution of Dignity, 2014.
Q: Any other organizations you can think of that fall into that fourth bucket?
In the initial press coverage, AnTAC was clearly the main target, but these story lines continued to repeat and combine. So, for instance, in May former Mayor Giuliani alleged that former Ambassador Yovanovitch was going to work for a Soros organization and after she left post, which was false. She went to work, still as a U.S. State Department employee, as a diplomat teacher/lecturer at Georgetown.

Q Was there any basis to that allegation? Like, had she considered it, or was there any talks with any of these organizations?

A Absolutely none.

Q Okay. So it was totally, from your point of view, totally fabricated?

A Fake news. It was, you know. He stated something that was fake, not true, publicly.

Q So you said the U.K. -- or, I'm sorry, the Ukraine Crisis Media Center, NABU, and AnTAC. Any other organizations sort of fit into that --

A Those were the only ones that I remember having been mentioned, but, again, there are a lot of stories out there.

Q Going back to Shokin's tenure as prosecutor general.

A Yes.

Q You indicated that he was not well regarded for his
legitimate prosecutions?

A Correct.

Q And the same can be said of Lutsenko?

A Correct.

Q With regard to Shokin, it really seemed that the IMF and the U.S. Government adopted an official position that Shokin had to go?

A Correct.

Q And that's the subject obviously of the Vice President. You know, he made some statements that have been videotaped about how he played a role in removing Shokin, and as a result, you know, $1 billion in aid was freed up. Are you familiar with that?

A Yes.

Q And is it fair to say that it was the U.S. Government's official position Shokin needed to go?

A Yes.

Q And what did the U.S. Government do to demonstrate that position, in addition to what the Vice President did and said?

A Right. Again, as I've stated before, U.S. State Department officials feel when we're spending taxpayer money in a country we have a fiduciary responsibility. So I'd like at this point to explain what we felt our fiduciary responsibility had been and why this became an issue of
policy.

We had been asked by President Poroshenko to help with a project in -- to reform the prosecutor general's office. The previous year we'd worked with Minister of Interior Avakov, whom I mentioned earlier to the launch of what was known as the patrol police. It was an immediate success. They were trained by the California Highway Patrol, brand new police, highest female police officer percentage in the world at the time.

And so he asked us to do something similar in making a quick victory reform in the prosecutor general's office. He appointed, he, Poroshenko, appointed a new deputy prosecutor general named David Sakvarelidze, that's a Georgian name. Just like the deputy head of NABU, there were a lot of Georgians that Poroshenko brought in who had a proven track record in Georgia.

And asked us to work with him and another deputy prosecutor general, with whom we had a good relationship via the FBI, named Vitaly Kasko. And the focus was to create an inspector general's unit inside the prosecutor's office that could go after corrupt prosecutors.

So that was stood up in the -- Shokin was appointed in February. We started -- I think Sakvarelidze may have been appointed in March. We started working on that project, and they hired a bunch of young, enthusiastic prosecutors.
And then in the summertime they launched what was going to be their first case, in the central province of Poltava, as a test case. They had a businessman who complained he was being shaken down by a couple of corrupt prosecutors. He agreed to be a cooperating witness.

They worked with the security service, which had wiretap authority, and they tapped these two prosecutors whose names I believe are Shapakin and Korniyets. Don't know their first names. And then they went in to get the warrants and arrest them.

And the reason why I'm going through all this detail is it's important to understand that one of those two prosecutors that was the first case turned out to have been the former driver of Shokin, who he made his driver a prosecutor.

So the people in the IG unit had no idea that the first corrupt prosecutor -- and there were a lot of them -- that they were targeting happened to have been the former driver and very close, personal friend of the prosecutor general.

When they arrested him -- and the only reason they could arrest him is because the deputy prosecutor general heard about it and tipped them off, except he tipped off the wrong corrupt prosecutor in the province -- Shokin went to war. He wanted to destroy anybody connected with that effort. They tried to fire and put pressure on the judges who would issue
the warrants. They tried to fire all of the inspector general prosecutors.

He eventually managed to force out everybody associated with that, including the deputy head of the security service, the intel service, who had provided the wiretapping coverage. It was absolute warfare protecting his associate, and he destroyed the inspector general unit that we'd been standing up.

So then that was the wasting of U.S. taxpayer resources, and so that is the reason why the IMF, the U.S., and the European Union said collectively the justice sector and the prosecutor is so important for the success of this country and it's so important to reform it that Victor Shokin has shown that he's actively wasting U.S. taxpayer dollars and he's preventing reform.

And because in the conditionality of our sovereign loan guarantees, the U.S. Government guaranteed loans for Ukraine to borrow in the market, 2014, 2015, and 2016, reform, anticorruption reforms, and the prosecutor's reforms were key conditionality.

The conversations that went between the embassy and the State Department were then brought ahead of the Vice President going to Ukraine in December of 2015, and Shokin's removal then became a condition for the loan guarantee.

Q What year was this?
A The visit that we're talking about by the Vice President was in December 2015, I believe.
Q And what official overt acts did the U.S. Government take with regard to Lutsenko?
A At that point he was not the prosecutor general. He was actually the head of -- he was basically the majority leader in parliament.
Q No. I'm talking about during Lutsenko's reign as the prosecutor general.
A Okay. So we're now shifting from the 2015 period to 2016 to 2019. When you say official acts, what do you mean?
Q Well, there was a number of official acts that, you know, it was the official U.S. Government's position that Shokin needed to go.
A Right.
Q And there were similar issues with Lustenko that he wasn't a tremendous prosecutor. Is that correct?
A Correct. But we never said that Lutsenko should go.
Q Okay. So the U.S. Government never took an official position that Lutsenko needed to go?
A We didn't. We complained about some of his actions, but --
Q It didn't amount to the concern that you have with
Shokin?

A That. I believe, would be an accurate assessment.

yes.

Q Okay. Mr. Jordan.

MR. JORDAN: Well, I would just ask, why? I mean, you said Mr. Shokin was terrible. I think the term you used earlier was he's a typical Ukrainian prosecutor --

MR. KENT: Yeah.

MR. JORDAN: -- didn't do his job, and that you all wanted him gone. You said his kids were -- him and Poroshenko were godfather to each other's kids.

MR. KENT: Yeah.

MR. JORDAN: And then you get the new guy, Lutsenko, who you said is just as bad, also kids are -- you know, kids with -- Mr. Poroshenko and him are godfather to each other's children. Lutsenko is showing up drunk, making statements. And, oh, by the way, he's not even a lawyer. And so I think the counselor's question was, where was the outrage with Mr. Lutsenko that was there for Mr. Shokin?

MR. KENT: First of all, the first phase -- Yuriy Lutsenko was prosecutor general for over 3 years, almost 3 and a half years. Shokin was for a year. And his unwillingness to do anything and his venality and his undermining U.S.-supported projects started within several months.
Yuriy Lutsenko, as I say, is a charming person, and so it was not clear how he would end up being as a prosecutor general in actively undermining reforms immediately. Several months after he became prosecutor general in the spring of 2016, for instance, former President Poroshenko in one of his calls with then-Vice President Biden asked for a former, I believe, New Jersey State prosecutor [REDACTED] by name. [REDACTED] had served for 2 years as an anticorruption adviser under contract to the Department of Justice in Ukraine and spoke Ukrainian fluently. And, in fact, Poroshenko had thought about appointing him as the first head of the NABU, this National Anti-Corruption Bureau. It turned out he was too old. He was already 65, and you had to be under 65 to be appointed.

So Poroshenko had actually helped recruit him for a previous anticorruption job. So he asked by name whether the U.S. Government would be willing to bring him back to Ukraine as an adviser. The U.S. Government agreed and so the embassy's part of the section that does anticorruption work and law enforcement reform brought [REDACTED] on contract as an adviser inside the prosecutor general's office to help mentor Lutsenko, to help stand up an IG unit to replace the informal team that had been destroyed by Shokin.

So for the first period of time it appeared that we were
going to be able to work with Mr. Lutsenko on prosecutorial reform, which was both a necessary precondition for a successful country and a priority for the U.S. Government.

MR. JORDAN: It's been reported that there was broad international consensus on Shokin. Who led that charge? Was that everyone was equally involved and invested in moving him, or was that led by the U.S.?

MR. KENT: When it comes to certain conditionalities, the IMF, particularly in the economic sphere, has, I would say, the primary voice. When it comes to certain other efforts the U.S. oftentimes is the lead voice. That includes in the security sector where we provide the most military assistance. And we coordinate through the European Command with willing allies, like the Poles, Lithuanians, U.K., Canada, and in the justice sector, as well, the U.S. played -- also had a lead voice.

MR. JORDAN: So the United States would be the lead one pushing for the new prosecutor?

MR. KENT: I would say the U.S. has had more skin in the game on --

MR. JORDAN: Oh, of course.

MR. KENT: -- justice sector reform over the last 5 years.

MR. JORDAN: That's understandable. Right. Thank you.
MR. ZELDIN: If I could follow up to that, if you don't mind, Steve.
So did Shokin ever investigate actual corruption?

MR. KENT: I am not aware of any case that came to conclusion, but I do not have insight into what all the prosecutors do in Ukraine, and there are about about 25,000 of them.

MR. ZELDIN: Are you aware of him ever having an investigation into actual corruption?

MR. KENT: I do not know, again, what happens behind closed doors. I think proof is in the pudding. Am I aware of any case on corruption that went to court and was settled when he was prosecutor general? I'm not aware of that.

MR. ZELDIN: I'm not asking that.

MR. KENT: Okay. What are you asking?

MR. ZELDIN: If you ever had an investigation. I'm not asking about the conclusion of the investigation.

MR. KENT: Honestly, sir, I can't answer that question.
I do not know.

MR. ZELDIN: Okay. Earlier on in response to the questions you were asked with regards to Burisma and Zlochevsky, it sounded like you were talking about actual corruption. No?

MR. KENT: When I was talking about Zlochevsky, when I was talking to Mr. Danilenko, the deputy prosecutor general,
prior to Shokin coming in, that was based on a specific case that had been developed in 2014 before I came to Ukraine. And by time I got there, that case had been dismissed by the team against Zlochevsky, the person, by the team of prosecutors that were there prior to Mr. Shokin going into office.

MR. ZELDIN: But you did testify that Shokin had an investigation into Burisma and Zlochevsky, correct?

MR. KENT: I did not say that.

MR. ZELDIN: Are you aware that Shokin had an open investigation into Burisma and Zlochevsky?

MR. KENT: I have read claims by people that there were investigations, but I have no specific knowledge about whether those investigations were open or what the nature of them might be.

MR. ZELDIN: When did you learn of an investigation by Shokin into Burisma and Zlochevsky?

MR. KENT: I just told you, I did not learn of an investigation. I've read claims that there may have been an investigation.

MR. ZELDIN: When did you first read of claims that there may be an investigation into Burisma and Zlochevsky?

MR. KENT: I read stories referencing that in the last several months after the series of articles starting in March brought this set of issues to the fore.
MR. ZELDIN: Okay. So before the last several months when you started reading about a case against Burisma and Zlochevsky, you were never previously aware of an investigation into Burisma and Zlochevsky?

MR. KENT: Specifically during Shokin's time, no.

MR. ZELDIN: And one followup. With regards to the EU and the IMF, was there a U.S.-led effort to get the EU and the IMF to also target Shokin, or was that something that EU and IMF did totally on their own?

MR. KENT: The IMF keeps its own counsel, but oftentimes when they go on factfinding missions they often have conversations with embassies. Here in Washington, the U.S. Treasury is the U.S. Government liaison with the IMF.

In terms of the European Union, traditionally in a country like Ukraine, the European Union Ambassador and the U.S. Ambassador coordinate very closely. And since 2014 and the German presidency of the G7, there is a coordinating process for the G7 ambassadors plus the head of the European Union mission. And they meet almost weekly, and they discuss issues and they go into issues like this in very deep detail.

MR. ZELDIN: So the United States and the EU were coordinating with regards to the effort to target Shokin?

MR. KENT: The U.S. and the EU shared their assessments at the time. And I have to say that in particular, if we're talking about the period of time between Thanksgiving, 2015,
and March of 2016, I was not in Ukraine. I was back here to
take Ukrainian for several months.

My understanding is that the ambassadors spoke and
compared views on their concerns that Shokin's continued
presence as prosecutor general prevented any hope of
prosecutorial reform.

MR. JORDAN: Mr. Secretary, you said you didn't know for
sure if Shokin was investigating Burisma, but you knew
Burisma was a troubled, corrupt company, right?

MR. KENT: As I said, Burisma had a reputation for
being, first of all, one of the largest private producers of
natural gas in Ukraine but also had a reputation for not
being the sort of corporate, cleanest member of the business
community.

MR. JORDAN: And you were so concerned about that that
you advised USAID not to do any type of coordinated
activity --

MR. KENT: Correct.

MR. JORDAN: -- sponsoring any type of corporate or
contest with them? Okay.

MR. KENT: Correct.

MR. MCCaul: Sort of following up on that question, and
thank you for your service, yeah, you referred to Burisma as
it had a bad reputation essentially?

MR. KENT: That is what I was told by the members of our
embassy community who focused on economic issues and had liaison with the U.S. business community, yes.

MR. MCCaul: And so you instructed USAID to pull back on funding for a clean energy conference, is that right, that Burisma was headlining?

MR. Kent: To the best of my awareness, it was one of these sponsor programs where it invited school kids or young Ukrainians to come up with ideas for a clean energy campaign, and there may have been something like a camera for the best proposal.

And the cosponsorship was between a part of USAID that worked on energy and economic issues. And when I heard about it I had concerns, so I raised those with the mission head of USAID in country at the time and she shared my concerns.

MR. MCCaul: So when the State Department evaluates foreign assistance to countries isn't it appropriate for them to look at the level of corruption in those countries?

MR. Kent: Yes. Part of our foreign assistance was specifically focused to try to limit and reduce corruption. And we also tried, to the best of our knowledge and abilities, to do due diligence to make sure that U.S. taxpayer dollars are being spent for the purposes that they were appropriated and that they are as effective as they can be.

MR. MCCaul: In fact, if you look at Central America,
corrupt governments down there, isn't it appropriate to
evaluate the corruption factor and where the money goes to on
foreign assistance?

MR. KENT: I will be honest with you, sir, I've never
served in the Western Hemisphere, and I've only made one trip
to Panama as part of my National Defense University
industrial study group. So I would defer to my colleagues
who are working on Central American policy.

MR. MCCAUL: But in line with your previous statements,
the whole notion of looking at corruption in foreign
governments and predicking foreign assistance on that, is an
appropriate thing.

MR. KENT: I believe that my colleagues who have worked
on international narcotics and law enforcement see when there
are funds appropriated by Congress to try to fight drug
trafficking and improve the law enforcement systems in
Central America. It's intended to help our national
interests to both stop the drug trafficking and improve the
justice system so that corruption can be contained.

MR. MCCAUL: And I think based on your testimony,
Ukraine has a strong and long history of corruption. Is that
correct?

MR. KENT: I would say that corruption is part of the
reason why Ukrainians came out into the streets in both 2004
when somebody tried to steal the election and again in 2014
because of a corrupt, kleptocratic, pro-Russian government, which eventually collapsed. The Ukrainians decided enough was enough.

And so Ukraine, yes, is a country that has struggled with these issues, but I would say also in the last 5 years has made great progress.

MR. MCCAUl: And just for the record, I signed with Chairman Engel a letter to obligate the funding security assistance to Ukraine. But is it not appropriate for the President of the United States to bring up with a foreign leader issues of corruption when the foreign leader brings up Javelin missiles? Is it not appropriate to discuss going after corruption in a country where we are providing foreign assistance?

MR. KENT: Issues of corruption have been part of the high-level dialogue between U.S. leaders and Ukrainian leaders regardless of who is the U.S. leader and who the Ukrainian leader is. So that is a normal issue of the diplomatic discussion at the highest level.

MR. MCCAUl: Thank you.

MR. MEADOWS: Steve, can I just get one clarification? It's not long.

MR. CASTOR: Of course.

MR. MEADOWS: Did I hear you say that Shokin, prosecutor Shokin, really, his reputation within 3 months of being
appointed was really negative from your standpoint? Is that what you said?

MR. KENT: That's what I said.

And it's not just my personal opinion. If you look at the political polling, if you go to IRI or NDI, both of which have done extensive polling in Ukraine since 2014, President Poroshenko, who was elected with roughly 55 percent of the vote in 2014, maintained that support through the first year. And then as this controversy over the corrupt godfather of his kids, Prosecutor General Shokin, exploded in what was known as the diamond prosecutor affair -- because one of the things they confiscated from his former driver was a cache of diamonds -- his support levels, Poroshenko's support levels, as polled by the International Republican Institute in particular, plummeted from about 55 percent to the mid-20s over that period of time.

And so that was the issue that destroyed Poroshenko's credibility and his high-level support in the eyes of the Ukrainian people.

MR. MEADOWS: So timeframe, was that 2015?

MR. KENT: Yes, sir.

MR. MEADOWS: And so when in 2015 would your opinion have been this is a bad guy, we can't trust him?

MR. KENT: Our concerns about Shokin's conduct in office were triggered by the reaction to the so-called diamond
prosecutor case.

    MR. MEADOWS: Yeah. And when was that?
    MR. KENT: That took place in late summer, early fall of 2015.
    MR. MEADOWS: All right. Steve, go ahead.
    MR. CASTOR: With all the time I have left, I'd like to open up a new topic. I'm just kidding. I'm out of time.
    MR. KENT: And if we could take a break.
    THE CHAIRMAN: Yeah. Actually, what I was going to suggest is let's take a half an hour lunch break. Let's resume promptly at 1:00.

    I want to remind all Members that may not have been here for prior sessions, although we have not discussed classified information today, we are in a closed deposition, and under House Rules, Members are not to discuss testimony in a closed session.

    I know, Mr. Jordan, I've had very little luck in getting members to abide by that. But those are the rules, and I'm just reminding Members and staff they're not to discuss the substance of the testimony.

    [Recess.]
[1:10 p.m.]

THE CHAIRMAN: Okay. Let's go back on the record.

Mr. Secretary, I want to just ask you a few questions to follow up on my colleague's questions, and then I'm going to turn it over to Mr. Mitchell to continue going through the timeline with you.

One question I have though is, we've come to learn of a meeting between Mr. Giuliani and Mr. Lutsenko, and there were some Ukrainians that were apparently -- apparently came to believe that President Trump had called into that meeting. Do you know anything about that?

MR. KENT: I do not.

THE CHAIRMAN: Okay. Earlier in response to some questions from my colleagues in the minority you mentioned that there was an effort to get the top level of the State Department to issue a statement of full-throated support for the Ambassador and that statement was not forthcoming. Is that right?

MR. KENT: Correct.

THE CHAIRMAN: And was the hope that that statement would come from Secretary Pompeo?

MR. KENT: The statements of that nature could come from a variety of people or levels. So I think we were looking for a statement of support from a high-ranking State Department official.
THE CHAIRMAN: And would it have been most helpful coming from the Secretary himself?

MR. KENT: It's always most helpful if the top leader issues a statement, but to be honest, I cannot recall during that week whether he was on travel. If he were on travel then Deputy Secretary Sullivan might have been the top-ranking official in the building. I just don't recall on those particular days who was essentially in charge.

THE CHAIRMAN: And did you ever learn why no statement was issued by a top-level official at the State Department?

MR. KENT: No.

THE CHAIRMAN: You mention, I think, that in this context that the suggestion was made to the Ambassador that instead of or because there would be no statement coming from the top that maybe the Ambassador should go out herself, defend herself, and express her personal support for the President.

MR. KENT: Correct.

THE CHAIRMAN: Where did that idea come from?

MR. KENT: I think I recall being copied on emails in which Under Secretary David Hale made the suggestion. Separately, Gordon Sondland made the suggestion. I think with Gordon he made the suggestion specifically to be aggressive on Twitter or to tweet. But in any case, there were a number of suggestions that Ambassador Yovanovitch
herself speak out against the campaign against her.

THE CHAIRMAN: And how did you come to know Ambassador Sondland's advice?

MR. KENT: I believe I was copied on the email. It may not have been -- I don't think it was from him, but it was an exchange between Ambassador Yovanovitch and my guess would be leaders in the European Bureau. Again, that is an email that should be a record that was collected and is part of the document collection.

THE CHAIRMAN: Part of the document collection that has not yet been provided to Congress?

MR. KENT: Correct.

THE CHAIRMAN: And in that email communication, that's where you would have learned of Ambassador Sondland's suggestion that the Ambassador tweet out a defense of herself and express her support for the President?

MR. KENT: And the President's foreign policy, yes.

THE CHAIRMAN: You mentioned that there are appropriate legal channels that can be used if the United States is conducting an investigation --

MR. KENT: Correct.

THE CHAIRMAN: -- and wishes to get overseas evidence through LEGAT and through the MLAT process. Is that right?

MR. KENT: Correct.

THE CHAIRMAN: There have been a number of public press
reports that Attorney General Bill Barr and others at the Justice Department are essentially doing an investigation of the investigators into the origins of the Russia investigation.

Do you know whether Mr. Barr or anyone else at the Justice Department has sought information to bolster, I think, what you describe is a bogus theory about the 2016 election that had been part of that John Solomon series?

MR. KENT: I am not aware of any Justice Department inquiries to Ukraine regarding 2016, no.

THE CHAIRMAN: I think you testified in an answer to my colleague's questions that at the time that it was U.S. policy and IMF policy and the policy of other allies and allied organizations that Shokin needed to go. This was based on Shokin essentially dismantling an inspector general office the U.S. had helped fund to fight corruption in Ukraine, particularly in the prosecutor's office. Is that right?

MR. KENT: That's correct.

THE CHAIRMAN: And at the time that the State Department and these other international organizations were seeking to have Shokin removed, you weren't even aware whether Shokin had any investigation of Burisma?

MR. KENT: I do not recall that being part of the conversation. The conversation was very much focused, first
and foremost, on the so-called diamond prosecutors case that involved these corrupt prosecutors, Korniyets and Shapakin, and the campaign that Shokin conducted to destroy and remove from office anyone associated with it regardless of what part of government those officials served in, prosecutors, investigators, judges, even security officials who had been involved in the wiretapping.

THE CHAIRMAN: And what was your position at the time?

MR. KENT: At the time this was occurring, in 2015, I was in the capacity of the number two at the embassy, the deputy chief of mission.

THE CHAIRMAN: So as the number two in the embassy, at this time, you weren't even aware of even an allegation that there was an investigation underway by Shokin involving Burisma?

MR. KENT: That was not something that I recall ever coming up or being discussed.

THE CHAIRMAN: My colleague also asked you about whether it was appropriate to bring up the conversation -- bring up a discussion of corruption in the context of the President of Ukraine asking for more javelins or expressing the need for more javelins.

I want to ask you actually about what the President said, because he didn't talk generically about corruption. He asked for a favor involving an investigation into
CrowdStrike and that conspiracy theory and for an investigation into the Bidens. Is it appropriate for the President of the United States in the context of an ally seeking military support to ask that ally to investigate his political rival?

MR. KENT: The first time I had detailed knowledge of that narrative was after the White House declassified the transcript that was prepared -- not transcript, the record of conversation that was prepared by staff at the White House. As a general principle, I do not believe the U.S. should ask other countries to engage in politically associated investigations and prosecutions.

THE CHAIRMAN: Particularly those that may interfere with the U.S. election?

MR. KENT: As a general principle, I don't think that as a matter of policy the U.S. should do that period, because I have spent much of my career trying to improve the rule of law. And in countries like Ukraine and Georgia, both of which want to join NATO, both of which have enjoyed billions of dollars of assistance from Congress, there is an outstanding issue about people in office in those countries using selectively politically motivated prosecutions to go after their opponents. And that's wrong for the rule of law regardless of what country that happens.

THE CHAIRMAN: And since that is really U.S. policy to
further the rule of law and to discourage political
investigations, having the President of the United States
effectively ask for a political investigation of his opponent
would run directly contrary to all of the anticorruption
efforts that we were making. Is that a fair statement?

MR. KENT: I would say that request does not align with
what has been our policy towards Ukraine and many other
countries, yes.

THE CHAIRMAN: Mr. Mitchell.

BY MR. MITCHELL:

Q Good afternoon, sir.
A Afternoon.

Q I'm going to pick up where Mr. Goldman left off,
which was the end of March of this year, 2019. And you
testified earlier that you met with the deputy director of
NABU on about March 19.
A I did not. I was here in the United States.

Somebody at the embassy did.

Q And you received correspondence regarding a meeting
that the deputy director of NABU had with someone in the
embassy in Kyiv. Is that correct?
A Correct. Somebody in the embassy sent an email
recounting a conversation that was held with Mr. Gizo Uglava,
deputy head of NABU.

Q And that email relayed a conversation that the
deputy director had with Mr. Lutsenko --

A Correct.

Q -- about an interview that Mr. Lutsenko had given with an American journalist?

A Correct.

Q Was that the first time that you got wind of this interview that Mr. Lutsenko had had with, what you later learned to be, Mr. Solomon?

A Yes.

Q Okay. And the following day, March 20, was the day that Mr. Solomon published the article in which there was video of part of the interview that he had with Mr. Lutsenko. Is that correct?

A That's my recollection of what happened on the 20th of March.

Q And once you saw that article, is this when the State Department issued or shortly thereafter issued these denials saying that it was a complete fabrication, it was false?

A Yes. It would have been on March 20 that the U.S. Embassy, which is 7 hours ahead of us, and the press team at the European Bureau would have worked to prepare guidance in response to attacks against our Ambassador.

Q Were you involved in that?

A Yes, I was.
Q Okay. What was your involvement?
A I reviewed the language, as I do any proposed press guidance related to any of the six countries over which I have policy oversight, and I have the ability to either clear -- with just that word "clear" -- or make suggestions and edits for the text.
Q Okay. And in this particular case, what did you do?
A I believe I may have toughened up the language, so complete fabrication may have been from me. But I cannot tell you in detail because press guidance is just that. It's then provided by a press officer in response to press inquiries.
Q Okay. But you agreed at the time, as you do now, that it was, in fact, a complete fabrication?
A Yes. I can tell you that it was my language about the fiduciary responsibility, the same language you heard me use here today, because of my background in being the director of the office which had the responsibility for undertaking these programs.
And so that language about we have the fiduciary responsibility to ensure that U.S. taxpayer dollars are being used appropriately, and when they're not we redirected them to better purposes, that was language that I added.
Q And based on your personal experience and your
personal knowledge of these allegations?

A Correct.

Q And then at some point -- and the chairman asked you questions about this as well -- there was an effort or discussion, let me say it that way, about whether the State Department should issue a full-throated defense for the Ambassador?

A Yes.

Q And that was done over email?

A Yes.

Q And that was Ambassador Sondland, Under Secretary Hale, and counselor -- you think Counselor Brechbuhl might have been on those emails as well?

A Two separate strings. Ambassador Sondland's communications would have been with Ambassador Yovanovitch, and then she would have communicated with the Department. There would have been potentially communications with the European front office with Under Secretary Hale and Counselor Brechbuhl.

Q Were you on all of those communications that you've just described?

A The emails that I've described are because I was copied on the emails, and that's why in the process of collecting documents relevant to the subpoena research, my memory was refreshed of the email traffic on which I was
copied.

Q And what was the time period for that email traffic in relation to the article that came about on or about March 20?

A It would have been over the next perhaps 10 days, basically the last 10 days of March.

Q Okay. And during that time period, were there also additional articles that came out by Mr. Solomon?

A The articles came out, if not daily, almost daily, and they oftentimes combined two of the four themes I laid out before. To the best of my recollection, there was never a new line of attack, but many articles combined two of the previous four themes.

Q Okay. And the suggestion was made to the Ambassador to release a tweet or make some sort of strong statement herself. Is that right?

A Correct.

Q Okay. And did the Ambassador do that?

A This back and forth was done in the context of the upcoming, at that point, first round in the Ukrainian presidential elections that took place, I believe, on March 31.

So Ambassador Yovanovitch, in consultation with her press attache, made a decision, she informed us, to record some preelection videos encouraging Ukrainians to vote. And
as part of that process, she included in that a statement of support of the administration and the foreign policy, the administration of President Trump and its foreign policy.

Q Okay. And those videos that you just described, the purpose of them was to publish them in Ukraine. Is that correct?

A Correct. These were videos that the embassy was already planning to issue in a pre-election encouragement for Ukrainians to engage in their civic duties. And so Ambassador Yovanovitch used that metaphor of civic duty in making reference to support as a career nonpartisan public official who supported and carried out the foreign policy of President Trump as she had with other Presidents.

Q So was the intended audience of those videos people within the United States as well?

A My understanding based on the email back and forth that I received from Ambassador Yovanovitch, including her press officer, was that her intent was to send a signal such as was being suggested by her within the context of something that was already being planned that was focused on electoral and presidential politics.

Q Okay. And do you know whether that video was forwarded to anyone within the White House?

A I do not know.

Q Do you know why the Department of State elected not
to do a full-throated defense of the Ambassador?

A I think that's a question that the committees could ask those outside of the European Bureau.

Q You do not know why?

A I do not know why.

Q Did you have any conversations at any point with anyone who would have made that decision?

A The State Department is a hierarchical organization. I work for the acting assistant secretary. Normally the acting assistant secretary is the one who engages officials above our bureau, to include the Under Secretary of Political Affairs, David Hale, who has oversight over our bureau; on occasion, the counselor of the Department, Ulrich Brechbuhl; and then depending on the situation, as appropriate, the Secretary himself.

Q Okay. So these are all the individuals that would have made that decision?

A These are the leaders of the Department of State.

Q Okay. But did you have any conversations with them --

A No.

Q -- about their decision not to issue a full-throated defense of the Ambassador?

A I did not have conversations with them, no.

Q Are you aware of anyone from the Department of
State at around the end of March or beginning of April reaching out to Sean Hannity?

A Yes.

Q What do you know about that?

A I believe, to the best of my recollection, the counselor for the Department, Ulrich Brechbuhl, reached out and suggested to Mr. Hannity that if there was no proof of the allegations, that he should stop covering them.

Q And how do you know that?

A Because I was informed of that in an email.

Q By who?

A I cannot say for certain who was the sender. It could have been from the counselor, and it could have been from Acting Assistant Secretary Reeker.

Q Okay. And why would they have informed you of this communication to Hannity?

A Because I'm the Deputy Assistant Secretary of State overseeing our relations with Ukraine, and I am normally the one who would have primary communications with our ambassadors or charges for the six countries over which I have policy oversight.

Q Okay. So is it fair to say that you were in communication with Ambassador Yovanovitch pretty frequently during this time period, end of March, beginning of April, about these issues?
It is fair to say that when she was Ambassador and I was Deputy Assistant Secretary of State, we were in regular communication about everything that went on in the U.S.-Ukraine relationship.

Okay. And do you know whether this communication from Counselor Brechbuhl to Sean Hannity had any effect?

A I unplugged when we moved back to the U.S. and so we don't have a TV at home, so I do not watch TV at night.

Okay. But the situation regarding Ambassador Yovanovitch and the allegations against her was something that you were keenly aware of during this time period?

Correct. However, the week you're referring to is the week of the Ukrainian presidential election, and so my focus that week was on the first round of results and what would be the potential impact on U.S. national interests if, as seemed likely at that time, there would be a new President.

Do you have any recollection as to when Counselor Brechbuhl reached out to Hannity?

I do not. If you had asked me that question before you gave me a timeframe, I would have given you a rough timeframe. I do not remember the exact days. End of March, early April is what I would have said.

But, again, it's memorialized in an email to the best of your recollection?
To the best of my recollection, there is some sort of email regarding that, yes.

Okay. Are you aware that at the beginning of March Ambassador Yovanovitch was asked to extend her stay in Embassy Kyiv?

Yes.

How do you know that?

The first person who asked her to consider extending her stay was me, and that was in January when she was back for the chief of mission conference. We had a challenge in the process of finding someone that we would nominate to replace her. And because of a different assignment, it was clear that that was not going to happen on schedule.

And we had concern -- I had concern that the country, Ukraine, would be going through transition and we might not have an Ambassador there. So I initially asked her to consider staying on through the election season in Ukraine.

When you say through the election season, what time period did that encompass?

There were two elections scheduled for this year in Ukraine. There was presidential elections in the spring and then there were parliamentary elections scheduled no later than the fall.

So when you talked to Ambassador Yovanovitch in
January of 2019 and you floated the idea that she extend her stay you thought of extending her stay through the fall of 2019?

A My proposal was through the end of the year to give us a chance to find a potential number -- another nominee that the White House could put forward and possibly be confirmed and be out in Ukraine, or at the very least having an experienced Ambassador there through the most critical part of transition and then possibly have the Charge.

Q Had you talked to anyone else at the Department of State prior to making this proposal to the Ambassador in January 2019?

A Not that I recall, but it is possible that I talked with Wess Mitchell, who was our assistant secretary at the time.

Q Okay. Is it fair to say that you wouldn't have proposed this to Ambassador Yovanovitch had you thought that it would have met any resistance at the Department of State?

A Correct.

Q And that's because Ambassador Yovanovitch was a well-respected Ambassador?

A She was the senior-most career Ambassador in Europe, yes.

Q And what was Ambassador Yovanovitch's reaction when you offered her this possibility in January of 2019?
A Well, I asked her if she would be willing to stay longer, and she said that she would think about it. And she came back and said she would be willing to consider it.

Q Okay. When did she say that?

A Again, we started the conversation in January. My guess is that she thought about it for a little bit and got back to us, to me some point over the next month, which was prior to the conversation that you were referring to in March.

Q Okay. So between the time that she came back to you and said that she was willing to extend her stay and the conversation that you had in March, what happened with regard to this extension?

A So the conversation in March was not with me. It was with Under Secretary David Hale. He visited Ukraine the first week of March. I accompanied that visit. And Under Secretary Hale asked her to stay until 2020.

Q Had you spoken to Under Secretary Hale about his proposal before he made it to the Ambassador?

A No.

Q Okay.

A Not that I recall.

Q And did you speak with Ambassador Yovanovitch about Under Secretary Hale's offer?

A Well, I was there on the trip, and so by time she
told him that she was willing to stay, because what she said
was she wanted to have clarity because she had a 91-year-old
mother with her and needed to also plan for other issues, by
time Under Secretary Hale flew away she had indicated her
willingness to stay essentially an extra year through 2020 to
give the State Department and the administration time to find
a nominee that could be nominated and confirmed and sent out
so that we would have an experienced Ambassador in an
important country at a time of transition.

Q When did you first learn that the offer for an
extension had been rescinded?

A I don't know I heard, per se, that the offer for an
extension had been rescinded. The offer was on or about the
5th of March. The 5th to 7th of March, I think, was the time
when Under Secretary Hale was there. The media storm that
was launched with Mr. Solomon's interview of Prosecutor
General Lutsenko started on March 20, 2 weeks later.

Q Okay. So the talk about potentially recalling
Ambassador Yovanovitch and the rescinding of the extension
were one and the same?

A To be clear, there were two people representing
leadership of the State Department, first I, the deputy
assistant secretary, and then the under secretary who asked
Ambassador Yovanovitch about her willingness to stay longer.

What then happened was a media campaign against her, and then
subsequent to that was a request for her to come back.

Q Okay. And when was that request made for her to come back?

A To the best of my recollection, she indicated on April 25 that she'd been instructed to get on a plane to come back to Washington as soon as possible.

Q So she indicated to you?

A Yes.

Q Was that the first that you heard that she'd been recalled?

A I believe that was the first time I heard that instructions had been sent for her to come back to the U.S., yes.

Q Okay. So you learned for the first time that she had been instructed to come back from the Ambassador herself?

A To the best of my recollection, yes.

Q And did she provide any -- at any time, has she provided any reasons why she was recalled?

A I understand that, because it was part of her opening statement that was published, she referred to a conversation she had with the Deputy Secretary of State.

Q Other than her opening statement?

A I believe that I did hear about that conversation subsequently, and I cannot say whether it was from her or from one of the people above me, like acting assistant
secretary. But I did hear an account of that session. I heard of it before reading it on Friday, yes.

Q  Okay. And whatever you heard before, was it consistent with what you read on Friday?

A  Yes.

Q  Okay. Who else did you speak to, if anyone, on the 7th floor regarding the recall of Ambassador Yovanovitch and the reasons for that recall?

A  I was not having conversations with anybody on the so-called 7th floor State Department leadership about this issue.

Q  Anyone else at the State Department?

A  I or other people having conversations with the 7th floor?

Q  People that you had conversations with.

A  I did not have further conversations about that effort. It was presented as a decision, so it was, she was recalled. And I believe she came back on the 26th of April for consultations.

Q  Well, what was your reaction to learning that she'd been recalled?

A  I, on a personal level, felt awful for her because it was within 2 months of us asking her, the Under Secretary of State asking her to stay another year. And within a very short order she was being recalled.
Q But you never sought a time to investigate why or find out why she was being recalled?
A My position is not to investigate. Decisions had been made by the leadership of the State Department and ambassadors serve at the pleasure of. So when an instruction comes down that is a decision that was being made.
Q So on May 6 the State Department issued a statement saying that Ambassador Yovanovitch was ending her assignment in Kyiv as planned.
A I believe --
Q Do you recall that statement?
A I believe that was something issued by the embassy in Kyiv not by the State Department, and it was in the form of a management notice.
Q Do you recall seeing that at the time?
A I did.
Q Okay. And what was your reaction to that embassy notice?
A If I'd been the DCM, I don't think that's how I would have had that news be released to the embassy community.
Q Okay. Can you explain?
A I think of a situation of that magnitude I would have called a townhall meeting and talked to people face to face. Also the fact that it was leaked to the Ukrainian
press within 2 hours was another indication of why issuing a
management notice to roughly 600 people would not have been
the way to introduce that information to 600 employees that
their boss was no longer going to be their supervisor.

Q Okay. So I take it that you took issue with the
way in which it was communicated, but what about the
substance of the message itself, and specifically that it
said that she was leaving her post as planned?

A Again, this was an embassy management notice. If I
had still been the deputy chief of mission, I would have
handled notification of the embassy staff differently, so
that's -- I am now the -- that was my job from 2015 to 2018.
My job now is as a deputy assistant secretary for oversight
of policy and programming. It's not running an embassy.

Q On May 14, Rudy Giuliani told Ukrainian journalists
that the Ambassador was recalled because she was part of the
efforts against the President. Were you aware of
Mr. Giuliani's statement at the time?

A I do not know that I saw that statement at that
time, no, but I did see an interview that he gave with a
Ukrainian publication, censor.net, that I believe was
published on May 27 that expressed a variant of that opinion,
yes.
1 [1:40 p.m.]
2 BY MR. MITCHELL:
3 Q And what was your reaction to Mr. Giuliani's statement?
4 A Mr. Giuliani, at that point, had been carrying on a campaign for several months full of lies and incorrect information about Ambassador Yovanovitch, so this was a continuation of his campaign of lies.
5 Q So you did not think it was true at the time that the Ambassador was removed because she was part of the efforts against the President?
6 A I believe that Mr. Giuliani, as a U.S. citizen, has First Amendment rights to say whatever he wants, but he's a private citizen. His assertions and allegations against former Ambassador Yovanovitch were without basis, untrue, period.
7 Q How did Bill Taylor come to be appointed as the Charge d'affaires?
8 A When it became clear that Ambassador Yovanovitch was going to be recalled, one of my responsibilities as the Deputy Assistant Secretary of State was to try to find and resolve how we are going to ensure that our key missions have appropriate leadership.
9 One of the unfortunate elements of the timing was that we were also undergoing a transition in my old job as deputy
chief of mission. The person who replaced me had already
been moved early to be our DCM and Charge in Sweden, and so
we had a temporary acting deputy chief of mission. So that
left the embassy not only without -- the early withdraw of
Ambassador Yovanovitch left us not only without an Ambassador
but without somebody who had been selected to be deputy chief
of mission.

So collectively we all knew -- and the "we" is the
people who ran our policy towards Europe -- that we needed to
find an experienced hand that could help the embassy in
transition, help the relationship in transition, and also be
a mentor to the new incoming deputy chief of mission, who had
not yet arrived and had never been the deputy chief of
mission.

There was a process of looking to see who was available,
who might be good. I had at one point thought of Bill
Taylor, but because he had not been a career Foreign Service
officer but had been a senior executive civil servant, I knew
that it would be very difficult to go through the process of
recalling him and getting in him in a position to go out.

In a conversation with Kurt Volker, then the special
representative for Ukraine negotiations, Kurt mentioned again
that he thought Bill would do a good job. And I told him, I
agree, but I just don't know if it's possible. So I started
that process of engaging the lawyers and the people who deal
with personnel issues to see if it were actually possible to recall someone who had been an Ambassador, had been a senior executive, but had not been a senior Foreign Service officer back to serve as Charge. And that took us 3 or 4 weeks, but we eventually got to the answer that we achieved, which was yes, and he went out as Charge, arriving June 17th or 18th.

Q And did you have conversations with Bill Taylor about this possibility of him becoming the Charge d'affaires during this time period?

A Extensive conversations.

Q On April 29th, Bill Taylor sent a WhatsApp message to Kurt Volker describing a conversation that you had with Bill Taylor in which you talked about two, quote, two snake pits, one in Kyiv, and one in Washington. And then Mr. Taylor went on to say that you, Mr. Kent, described much more than he knew, and it was very ugly.

Do you recall having that conversation along these lines with Mr. Taylor?

A I had many conversations with Charge Taylor, and my reference to the snake pits would have been in the context of having had our Ambassador just removed through actions by corrupt Ukrainians in Ukraine as well as private American citizens back here.

Q And what corrupt Ukrainians in the Ukraine were you talking about?
A The series of corrupt former -- or still current
prosecutors who engaged former Mayor Giuliani and his
associates, and those included former Prosecutor General
Shokin, the then Prosecutor General Yuriy Lutsenko, who no
longer is, the special anticorruption prosecutor, Nazar
Kholodnytsky, and another deputy prosecutor general named
Kostiantyn Kulyk.

Q And when you say engaged, what do you mean by
engaged?

A Well, those individuals -- when I say engaged, they
apparently met, they had conversations. Some of them were
interviewed -- Mr. Kulyk was interviewed, I believe -- by
Mr. Solomon. Mr. Giuliani publicized his meeting with Nazar
Kholodnytsky in Paris about the same time that he gave an
interview to censor.net and accused former Ambassador
Yovanovitch, me, and the entire U.S. Embassy of partisan
activity in 2016. And we've already talked about his
engagement with Shokin and Lutsenko.

Q Do you have any any information about money being
exchanged between any of these Ukrainians that you described
to Mr. Giuliani?

A I have no knowledge of any money being exchanged.

Q It doesn't mean that they didn't exchange money,
you just have no knowledge of it?

A I have no information to suggest that happened.
Q Okay. Now, Mr. Parnas and Mr. Fruman have also appeared in the news recently?
A Yes.
Q Were you aware of Mr. Parnas and Mr. Fruman's existence at the end of April, beginning of June 2019?
A Yes.
Q How did you become aware of them?
A I first heard their names through a series of conversations with a variety of people.
Q Okay. When was the first time you heard of Mr. Parnas and Mr. Fruman?
A There is a U.S. -- I'll give you a series of points and I'm trying in my mind sort out what I heard from whom, when, but we're talking about the period primarily starting in April, possibly in March. I'm not sure that I heard of their names before then.

There is a U.S. businessman who's active in gas trading to Ukraine named Dale Perry, his name came up publicly last week because he was interviewed by AP. He sent an open letter complaining about corruption and pressure that he was facing, including he said, an effort to unseat the American Ambassador in Ukraine.

And he fingered three individuals that he said were attempting to move into the gas business, and those included Harry Sargeant III from Florida and then two, he said, people
who came from Odesa, referencing Lev Parnas and Igor Fruman.
So that was the first source that I recall hearing.

Second, I heard from people when I went to Ukraine in
the first week of May that Giuliani associates were coming to
Ukraine, and the names that were mentioned were Fruman and
Parnas. One of the people I met was an affiliate of the new
President -- President-elect at that point; he was not yet
President -- and his name was Ivan Bakanov. He has since
become head of their security service. And he mentioned
Fruman's name, and he said and there's another one, I don't
remember his name. And later on he WhatsApp'd me the
business cards of Fruman and Parnas.

And also on that trip before I met with Bakanov, I met
with Minister of Interior Avakov, the person whom I'd had the
conversation I detailed in Washington in February, and he
mentioned them as well, and said that they were coming in to
Ukraine and that he -- that was the first time that I heard
that Rudy Giuliani was planning to come that week as well.

Q So the first time that you spoke with Mr. Avakov in
February he did not mention Mr. Parnas and Mr. Fruman is that
correct?
A Correct.

Q Okay. But then he did at the beginning of May?
A Correct.

Q And when what day say exactly about Mr. Parnas and
Mr. Fruman?

A He said that he had heard that they were coming to town and that their associate Rudy Giuliani was coming as well.

Q Okay. You said it was the first week of May?

A That's when I was in Ukraine, yes. So I was in Ukraine I believe May 8th and 9th, and I believe I may have met Avakov the first day I was there, that would be the 8th, and he mentioned that he heard that Parnas and Fruman were coming, and that they were coming with their associate, the Mayor Giuliani.

He also told me that when he had been, he, Avakov, had been in the United States in February, he had communication that Mayor Giuliani had reached out to him and invited him to come and meet the group of them in Florida. And he told me that he declined that offer.

Q Did Mr. Avakov explain why he declined that offer?

A He told me he had a tight schedule and needed to get back Ukraine. But he said did say that he was planning to have coffee with them, they had asked, and he was planning to meet them in Kyiv. I don't know if they met or not. I met him before that, but he said that if they want to meet, I'll meet and have coffee with them.

Q During the May trip?

A The May trip, yes.
Q And did Mr. Avakov explain to you why Mr. Parnas, Mr. Fruman, and Mr. Giuliani were traveling to Ukraine at the beginning or mid-May?
A He did not, no.
Q No indication whatsoever?
A He did not.
Q If I recall when you had this conversation with Mr. Avakov in February, Mr. Avakov thought it was unwise what Mr. Giuliani was doing. Did I get that right?
A He told me in February that he thought that it had been unwise that Yuriy Lutsenko, the prosecutor general of Ukraine, made a private trip to New York to see Rudy Giuliani.
Q Was that because -- well, why?
A I can't answer that question. I mean, that was his assessment as the minister of interior that the prosecutor general of his country should not make a private trip to the United States. That was my understanding of his assertion in February.
Q Now, you indicated that you had another conversation with -- I can't read my own writing, Bakanov?
A Bakanov.
Q Bakanov. And what was his relationship with then-candidate Zelenskyy at the time of this meeting at the beginning of May?
A He was President-elect Zelenskyy's oldest childhood friend. Zelenskyy told me the first time we met the December of 2018 that the person he had known the longest, that he had grown up on the same corridor in their apartment block from kindergarten was Ivan Bakanov.

Q Okay. And can you describe that conversation?

A In December 2018?

Q No. I'm sorry. in May of 2019.

A So my conversation with Ivan Bakanov?

Q Yes.

A To the best of my recollection that was a conversation where we talked about what might happen since it was in between post election, pre-inauguration. I asked him what jobs he thought he might be interested in or appointed to since his childhood friend was now the President-elect, and he described to me his interest in either being chief of staff or the new prosecutor general.

Q And what did Mr. Bakanov say with regard to Mr. Fruman, Mr. Parnas, and Mr. Giuliani?

A He did not mention Mr. Giuliani. To the best of my recollection, the only name in that meeting that I wrote down -- and that's part of the records which I provided to the State Department -- was Fruman. And then later on he followed up because he couldn't remember the other name, which turned out to be Parnas.
And he said, these guys want to meet me, what do you think? And since I had met with Mr. Avakov in the morning, I repeated what Avakov told me. He told me, you can always meet and have a cup of coffee with people, you don't have to make any commitments.

Q  Okay. At the time did you have any understanding of what Parnas and Mr. Fruman might be doing in Ukraine with Mr. Giuliani?

A  I understood that they were associates of Mr. Giuliani, and this was now 2 months into the campaign that had led to the, ultimately, unfortunately, to the removal of our Ambassador. But I did not know their specific purpose in coming to Ukraine on or about the 10th and 11th of May.

Q  Did there come a time when you did learn what their purpose would be?

A  I only read subsequent to leaving Ukraine the press coverage of the former Mayor of New York's stated intent to go to Ukraine, and then to notice that he canceled his trip.

Q  And when you say Mr. Giuliani's public statements about the purpose of his trip that he ultimately canceled, what is your recollection of what Mr. Giuliani said?

A  I don't recall what Mr. Giuliani said in the paper about his reasons for canceling, other than the fact that I believe he may have criticized some individuals around President-elect Zelenskyy.
Q: And do you recall that his statements were also about investigating the Bidens?
A: I honestly don't remember what he may have been saying or tweeting. As I said earlier, at this point I was not a regular -- I don't tweet personally, and I don't follow all the tweets of everybody.
Q: When you learned that Mr. Giuliani was going to travel to Ukraine at the beginning of May, May 9th or May 10th, did you have any discussions with anyone at the Department of State about his upcoming trip?
A: Not that I recall, no. I learned about it when I was in Ukraine.
Q: Were you at all concerned about his trip?
A: He's a private citizen. Private citizens have the right to travel. The extent that I might have had concern, it would be what he might try to do as a private citizen involved in the U.S.-Ukraine official relationship.
Q: To the extent that it could interfere with the ordinary diplomatic channels that would be handled by the Department of State?
A: To that extent, yes. Again, I did not know the purpose of his trip, I only heard that he might be coming in.
Q: I think my time is up.

BY MR. CASTOR:
Q: We talked this morning about what the State
1 Department did in the press to counteract these narratives?
2 A Correct.
3 Q The John Solomon stories and so forth.
4 A Yes.
5 Q Did the State Department undertake any effort to
6 convince the White House, not the press, but the White House, that these stories are not grounded in good facts?
7 A That is not -- relations between or communications
8 between the leadership of the State Department and the White
9 House at that level do not go through the regional bureau.
10 Q Okay.
11 A So I'm not aware of the conversations that would
12 have happened.
13 Q Do you know if there was any effort, I mean, they
14 would have kept you in the loop if they were trying to make
15 the case that, hey, you can't be believing this stuff. And
16 if you're thinking about removing Yovanovitch, hold on, let
17 me -- let us make our case. Did that opportunity occur?
18 A My understanding is that there were high-level
19 discussions between the leadership of the State Department
20 and the White House prior to the decision to recall
21 Ambassador Yovanovitch, but those obviously were ultimately
22 unsuccessful, and the account that I heard at the time is in
23 accordance with what I read Ambassador Yovanovitch had in her
24 statement on Friday.
Q Okay. Because you mentioned at one point the White House got involved with the visa application for Shokin?
A I didn't say that. What I said was that after the State Department made clear that it was not ready to issue, it was our understanding that former Mayor Giuliani reached out to the White House, and then that was the point at which Deputy Chief of Staff Blair was tasked with calling us to find out the background of the story.
Q And ultimately Shokin didn't get the visa?
A He didn't get the visa, correct.
Q So Mr. Blair was sympathetic to your point of view and didn't push the issue anymore?
A My understanding is -- what I recall him saying is I heard what I need to know to protect the interest of the President. Thank you. And that was the end of that conversation.
Q Okay. So there certainly was at least one incident where you had some positive back and forth with the White House that led to a result consistent with your interests?
A Correct. That was -- I believe that conversation occurred on the 11th of January, specifically about this issue of a visa for the corrupt former prosecutor.
Q Do you know if Shokin had come to the United States on a visa before?
A Yes.
Q Okay. So he had been granted visas in the past?
A He had had visas at some point in the past, correct.
Q And do you know when?
A I do not know.
Q Okay. Do you recall if it was during your time when you were in Kyiv?
A I do not know.
Q Was the denial of his visa, was this the first time he had made an attempt to travel to the United States but had been denied?
A I do not know that. To the best of my knowledge he didn’t try to travel to the U.S. and was denied, he did not have a visa. To the best of my recollection, because of the acts of corruption affiliated with undermining U.S. programming and policy goals, we probably, if the visa had not expired prudentially, revoked the visa under the assumption that we don’t want corrupt individuals coming to the United States.
Q Was Lutsenko on par with Shokin in terms of being an unreliable prosecutor?
A Well, I think -- how would you define unreliable prosecutor?
Q Well, you talked at great length that Shokin was not prosecuting corruption cases?
A Correct. Yeah.
Q There were cases of corruption where he just simply, you know, looked the other way and caused them not to be prosecuted. And then I think you mentioned that he prosecuted people that weren't doing anything wrong?
A Yeah, I think Shokin's record and his nearly year tenure was not of prosecuting crime. Lutsenko was in office 3 years, and so he had more opportunity to take some action. He did lead a number of cases that led to small scale convictions as well as settlements and payments of fines to allow companies to continue to operate in Ukraine.
Q But what was the position of the embassy about Lutsenko, was he a --
A So I would say the breaking point of our disillusionment with Yuriy Lutsenko came in late 2017, by that point he had been in office for a year and a half, and there was a specific case, and it was as emblematic as the diamond prosecutor case had been for Shokin.
   The National Anti Corruption Bureau, NABU, became aware because of complaint that there was a ring of Ukrainian state officials that were engaged in selling biometric passports, Ukrainian passports, to people who did not have the right to the passports, including foreigners.
And the ring included deputy head of the migration
service, a woman named Pimakova (ph), as well as people
collaborating in the security service of Ukraine.

And, obviously, for our own integrity, you know, we want
to know that a passport from a country is issued to the
correct person. And as this case was developing, Lutsenko
became aware of it, and this corrupt official who was sort of
the apex of the scheme went to him or to the prosecutors and
became essentially a cooperating witness for them. And so
they basically busted up the ring or they busted up the
investigation by NABU. And then he went further and exposed
the undercover agents that had been a part of this case.

So that's obviously a fundamental perversion of law and
order to expose undercover agents. They were actually
engaged in pursuing an actual crime, whereas, he was
essentially colluding with a corrupt official to undermine
the investigation.

And so this case was critical to us because when we
searched the database it turned out that a number of the
passports that had been issued as part of these schemes had
gone to individuals who had applied for U.S. visas.

So we were very angry and upset because this threatened
our security, and it potentially also threatened their
ability to retain their visa free status in the European
Union.
Q So did the State Department take a position that
Lutsenko had to go?
A We didn't say that. What we said was that all the
officials that were involved in this ring needed to be held
to account and prosecuted, and we needed to see that they
were taking seriously our concerns about the integrity of
their passports.
Q Had Lutsenko had any open investigations at that
time into any oligarchs?
A Again, there are a lot of prosecutors in the
country, and I don't know which investigations he might have
had open.
Q But you didn't know whether there was any specific
investigations into somebody like Zlochevsky?
A I do not know if there was an investigation into
Zlochevsky, the individual, Yuriy Lutsenko has said publicly
that he investigated Burisma on nonpayment of taxes. And as
I recall, there was a settlement where Burisma paid a penalty
for nonpayment of taxes, and at that point Zlochevsky
returned from his external home in Monaco and resumed a
public life in Ukraine.
Q Going back to the passport issue. Did it present a
risk that terrorists would get credentials?
A That was a potential theoretical risk, and that is
exactly what I told in the first meeting that we had with the
new deputy foreign minister, the deputy justice minister, the
deputy head of the migration service, the deputy head of the
security service, when we had occasion, the essentially, DCMs
of the European Union Ambassadors, embassies, and with me as
the U.S. DCM, we all raised our great concerns that this
uncovered ring posed a threat to our interests as well as
Ukraine's continued access to for visa free travel to the
European Union.

Q What would it have taken for the U.S. Government to
take a stronger position as it did on Shokin with regard to
Lutsenko?

A I think that the -- Yuriy Lutsenko, apart from this
NABU case where he actively undercut an investigation that
was in our interests, Lutsenko's actions did not raise to the
same level. We did, however, I mentioned earlier that at the
request of Petro Poroshenko, we made available a former New
Jersey prosecutor, we let that contract lapse after roughly 9 months because it was
clear that Lutsenko was not going to push forward reform as
he had promised to us.

So what we did was we curtailed our capacity building
assistance to the prosecutor's office under Lutsenko while we
continued to engage Lutsenko personally as well as other
leaders on the continuing need for reform. And we made clear
that we were willing to resume assistance with their
political will to actually take the steps that were necessary to reform the prosecutor's office.

Q What type of decisionmaking would have had to have occurred at the State Department to take an official position that Lutsenko needed to go?

A Well, I mean, it's -- I would say that we're now talking about late 2017, and we were beyond having the potential leverage of sovereign loan guarantees. Ukraine's economy had stabilized. And I would say that there was less consistent high-level engagement on Ukraine.

Q Okay. In March of this year, Ambassador Yovanovitch gave a speech at the Ukraine Crisis media Center?

A Correct.

Q Are you familiar with that? Where she called on Kholodnytsky to be removed?

A Correct.

Q What can you tell us about that.

A Nazar Kholodnytsky was selected by Viktor Shokin as, in our view, the weakest of the three final candidates to become the special anticorruption prosecutor. This is a new unit that was semi-independent within the prosecutor's office, and it was set up specifically to prosecute cases of high corruption that were developed by NABU. We worked intensively with Nazar for almost 2 years, until we reached a breaking point with him. And that intensive work included
U.S. prosecutors who were brought in, and FBI agents embedded as mentors. Intensive training trips to the U.S., training in Ukraine. A mentoring trip to Romania where Laura Kovesi is a very well-known anticorruption prosecutor and now the lead prosecutor in Europe. Because even though we saw Kholodnytsky as an imperfect person, he was the new anticorruption prosecutor, and his success, would be Ukraine's success, would be our success.

However, we reached a breaking point in a case that was known as the fish tank case. There was suspicion that he had been involved in corrupt acts, and under a Ukrainian warrant a bug, a tap was put in his fish tank in his office. And in the course of the first 2 weeks, he was caught trying to suborn a witness, coach him to lie, as well as obstruct justice in a case that involved his hometown, in an effort to bribe the minister of health, Ulyana Suprun. So agreed to wear a tap for NABU and caught the effort on trying to give her a bribe.

So we had a case involving corruption, and he was caught on tape suborning the witness and trying to obstruct justice. At that point it was no longer possible for the U.S. Government, despite 2 years of investment, to continue to work with Nazar.

We called him into the embassy to have a conversation. This is before it went public. And I and the director of the
international narcotics and law enforcement section of the
embassy had the conversation, tough conversation with him,
and suggested that if he were to resign quietly, given the
information that was clearly available, that he was young
enough that it wouldn't necessarily destroy his career, but
that we, the U.S. Government, could no longer work with him.

And that if he were to remain as the anticorruption
prosecutor, we would cease cooperating with him. And he
stood up, walked out, and you know, tweeted, you know, before
he left the embassy compound that he was going to have a
defiant attitude. So we stopped cooperating with him once
presented with evidence that he was actively suborning a
witness and obstructing justice.

Q You have regaled us over the course of many, many
minutes today about the deep issues of corruption in the
Ukraine. You talked in extensive detail that the problems
are in the Shokin era, during the Lutsenko era, and even now
with Kholodnytsky. Is it fair to say that if the President
had a deep-rooted skepticism in Ukraine's ability to fight
anticorruption, that was a legitimate belief to hold?

A It is accurate to say that Ukraine has a serious
problem with corruption, and the U.S. is committed where
there's a political will to work with Ukrainians, inside and
outside government to make changes, but absent that political
will, this will be a problem that will stick with Ukraine and
stick with the U.S.-Ukraine relationship.

Q  So we send a lot of money to Ukraine, correct?
A  I would not say that we send money. Congress appropriates money. The accusation by former prosecutor Lutsenko is that we didn't show him the money, but that fundamentally misunderstood how our assistance is administered. And this was the issue in the letter that I think is part of the packet that you may have received that I signed in April 2016.

He accused us, or they accused because it was before Lutsenko came in, of -- and then he just picked up the accusation, that somehow we didn't hand them the money. I talked to one of his temporary deputy prosecutors who was a reformist who later chose not to work with him. And she told me that they actually thought that we, the U.S. Embassy, had bags of cash that we would hand to her or to her predecessors, and that's how we, the U.S. Government, did business.

The way the U.S. Government and the Embassy supports anticorruption programming in Ukraine is that we sign agreements with implementers. One of those is the Department of Justice. They have this program, OPDAT, Overseas Prosecutorial Development and Training. Another was with the U.N. organization called IDLO, International Development Law Organization. Another was the OECD, which has a strong and
vigorous anticorruption component. And finally, a civil society association, AnTAC, the anti-corruption center. Those are the four organizations with which the U.S. Government signed contracts or grants to administer our justice programming for the reform of the Prosecutor General's Office.

Q    How much grant money does AnTAC get?
A    I do not know the exact amount.
Q    Do you know a ballpark?
A    Huh?
Q    Do you know a ballpark?
A    I do not. I would hesitate to offer a number because I don't -- it's been years since I've seen any spreadsheets.

MR. JORDAN: Secretary, Mr. Kent, I just want to go back to questions Steve asked earlier. What was it going to take for the government to take the same position with Mr. Lutsenko that you took with Shokin, and I've just been making a list. He wasn't a lawyer. He actually talked about showing him the money, I think you just said. We know that he's been drunk on certain occasions. He was selling passports, potentially to terrorist.

MR. KENT: He was not selling passports. He undermined an investigation of people selling passports.

MR. JORDAN: Okay. I guess we'll live with that
distinction. It's pretty minor. And the guy he hired for
this new prosecutor's office was every bit as bad. The one
guy he picked -- he hired Kholodnytsky, right?

MR. KENT: Shokin hired Kholodnytsky. So his
predecessor hired Kholodnytsky.

MR. JORDAN: Kholodnytsky was working when Mr. Lutsenko
was prosecutor?

MR. KENT: Correct.

MR. JORDAN: He didn't bring him in line?

MR. KENT: After -- he did not.

MR. JORDAN: So I think it sort of underscores Mr.
Castor's question. What was it going to take for the United
States Government to say this guy has got to go as well?

MR. KENT: We made our concerns about the
ineffectiveness of Mr. Lutsenko clear to his patron, the then
President of Ukraine, Petro Poroshenko, but that assignment
is made by the nomination of the Ukrainian President, and the
dismissal requires a vote in the Ukrainian parliament.

MR. JORDAN: Thank you.

MR. PERRY: Thank you. Scott Perry, down here, from
Pennsylvania. I just want to clarify something that's been
kind of veered on numerous occasions before you got here and
today. Are you familiar with the transcript of the call
between the President of the United States and President
Zelenskyy? Are you familiar with it?
MR. KENT: I read it after it was declassified by the White House, yes.

MR. PERRY: Okay. So you have some, and if you need it, we can give it to you. But in a kind of exchange on the last round the implication was is that there was a favor asked by the President for an investigation. Do you know anywhere in the transcript where the President uses the word investigation?

MR. KENT: I don't have the transcript in front of me.

MR. GOLDMAN: Can we admit it as an exhibit?

MR. PERRY: Sure.

[Majority Exhibit No. 1 Was marked for identification.]

MR. KENT: But I will say that at the time I didn't have access to the transcript, so --

MR. PERRY: But you've had it now.

MR. KENT: After it was declassified.

MR. PERRY: You had it up until today. And I just want to let you know, it doesn't say an investigation. The President doesn't say an investigation. When he uses -- do you see it as, or it was implied that the President is asking for a favor for him, but when he says, do us a favor, do you see that as the United States or the President of the United States when he says do us a favor?

MR. KENT: Sir, I was not on the call.
MR. PERRY: I know you weren't, but I'm reading it to you right now. It's on page 3 at the top.

MR. GOLDMAN: Could we provide him one?

MR. KENT: So sir, could you repeat. Could you repeat your precise question again.

MR. PERRY: The implication was in the last round that the President was asking to do him a favor. Do the President of the United States a favor, but the verbiage says do us a favor. Do you see that as doing a favor for the United States or the President himself personally?

MR. KENT: As I'm reading the paragraph, it refers to CrowdStrike and Mueller and then so on and so forth, and so that is the first time I'd ever heard of this line of thought. That does not strike me as being related to U.S. policy.

MR. PERRY: Okay. And, again, in regard to the, do us a favor line, it has nothing to do with Biden or Burisma in this paragraph on the top of top page 3?

MR. KENT: That's, as I'm reading through this again, it's --

MR. PERRY: Well, I'll let you know --

MR. KENT: It's not in that paragraph. Yeah --

MR. PERRY: There's nothing referred to in on page 3 regarding Biden or Burisma that can be connected with the line, do us a favor. The words, do us a favor.
MR. KENT: I would agree with you that it's not in that paragraph.

MR. PERRY: Right.

MR. KENT: As put together by the staff at the National Security Council.

MR. PERRY: Right. Okay. And do you remember anywhere in this transcript where the President says, you know, for the -- the President of the United States says to President Zelenskyy to dig up or get some dirt?

MR. KENT: Again, I think the National Security Council account is what it is.

MR. PERRY: Yeah. It's not in there is my point. It's not in there. And I just want to make the record clear because for hours and hours in testimony over the course of days here there's a continual characterization of these events that are not true, that are not correct, per the transcript.

Moving on, in the past round you were asked about your opinion about the President, is it proper for the President to ask another country for an investigation into a political rival? I think that was the general characterization. I want to explore that a little bit. And in your answer you said that it would not be the standard. And my question is, do you have -- does the Department of State have a standard in that regard?
MR. KENT: I believe it is a matter of U.S. policy and practice, particularly since I have worked in the area of promoting the rule of law, that politically related prosecutions are not the way of promoting the rule of law, they undermine the rule of law.

MR. PERRY: But is that written as a policy somewhere or is that just standard practice?

MR. KENT: I have never been in a position or a meeting where I've heard somebody suggest that politically motivated prosecutions are in the U.S. national interest.

MR. PERRY: Okay. So would you say that if the United States was interested in pursuing justice of a past incident, of an incident that occurred in the past regarding someone that had a political office, is that off limits to the United States of America?

MR. KENT: I think if there's any criminal nexus for any activity involving the U.S., that U.S. law enforcement by all means should pursue that case, and if there's an international connection, that we have the mechanisms to ask either through Department of Justice MLAT in writing or through the presence of individuals representing the FBI, our legal attaches, to engage foreign governments directly based on our concerns that there had been some criminal act violating U.S. law.

MR. PERRY: One more, Steve.
Regarding your conversation about Ambassador Yovanovitch's release, and you heard her viewpoint because you heard it previous, and then you saw it related in her opening statement here. Right? Do you think there's another viewpoint? I know you know that viewpoint, is there a potential for another viewpoint?

MR. KENT: A viewpoint about what?

MR. PERRY: About her release. You heard her viewpoint. This is what happened to me. This is why I was released. This is why she was released as the Ambassador. That's her viewpoint. You heard that, you knew that. Correct?

MR. KENT: As I mentioned, I heard that that was the view expressed and conveyed by the Deputy Secretary of State to her. Correct.

MR. PERRY: Right. And do you think there could be another viewpoint other than hers?

MR. KENT: That was the viewpoint of the Deputy Secretary of State.

MR. KENT: And it's also hers, correct?

MR. KENT: She conveyed what she heard from the Deputy Secretary of State.

MR. PERRY: But there could be another viewpoint, that's my point.

MR. KENT: Theoretically there are multiple points about
MR. PERRY: Right. And whose decision ultimately is that?

MR. KENT: What decision about what?

MR. PERRY: Who serves as an Ambassador from the United States to another country?

MR. KENT: All Ambassadors serve at the pleasure of the President.

MR. PERRY: So if an Ambassador is relieved for whatever reason, is that something that would normally be investigated by the Secretary Department of State?

MR. KENT: All Ambassadors serve at the pleasure of the President. And that is without question, everybody understands that.

MR. PERRY: All right. Thank you. I yield.

BY MR. CASTOR:

Q When is the first time you heard about the call between the President and President Zelenskyy?

A Which call?

Q The July 25th call, the one that is the subject of the exhibit?

A Well, can you repeat the question.

Q When did you hear about the call?

A I heard that the call was going to take place on -- I heard that it would take place the day before on the 24th.

Q Okay. Did State Department officials want the call
to occur?

A Yes. I was informed that it was finally scheduled by Lieutenant Colonel Alex Vindman, who's the director at the National Security Council responsible for Ukraine. And I then emailed the Embassy suggesting that they send a communications officer over to the presidential office to check the quality of the line because it had been a long time since we had had a formal call, and sometimes those lines don't work when they get calls. So as far as I know, the embassy did that to ensure that when the White House situation room called out the call would go through.

Q Okay. You said finally scheduled, so there had been some process over time to get this call scheduled?

A There had been discussions on and off for awhile for a followup call to the congratulatory call on April 21st, the day that Zelenskyy won the presidency, and the timeline slipped until it was after the parliamentary elections. Those occurred on July 21st, and the call eventually happened 4 days later on the 25th.

Q Everyone was in favor of making this call happen after the parliamentary elections?

A The State Department was supportive of a call.

Q And was there anybody who was not supportive of the call in the U.S. Government?

A I have read that there were officials that had some
Q What did you read?
A I think that's a question you could ask people that work at the National Security Council.
Q So you read there were some issue from the National Security Council about scheduling the call?
A I read that there were some people who had some misgivings about the call, yes.
Q Okay. But you didn't know about those misgivings prior to the call?
A I may have heard that there were some views, I did not understand what the views were behind that expression.
Q Okay. Who held those views?
A I don't know.
Q Okay. So you didn't have any personal knowledge of any officials at the National Security Council being uncomfortable with the idea of having a call?
A I got the impression that there was at least one official uncomfortable, but I didn't understand what that was about. I, the State Department, was in favor of a congratulatory call after the election.
Q Did Alex Vindman tell you anything that gave you pause?
A Before the call, no.
Q Okay. So it's finally scheduled, it happens on
July 25th. You weren't on the call, right?

A Correct.

Q Was anyone from the State Department, to your knowledge?

A I believe I was aware that the White House Sit Room was going to try to patch through the counselor of the department, Ulrich Brechbuhl.

Q Okay. Any other folks from the Department?

A That was the only name that I or office that I heard mentioned.

Q Okay. Nobody in Kyiv?

A It would not be normal to have the embassy patched into the phone call.

Q Okay. And then after the call occurs, did you get a read-out from anybody?

A I did.

Q Who did you get the read-out from?

A From Lieutenant Colonel Vindman.

Q And when was the read-out?

A It was not the same day. It may not have been the day after, but it could have been either July 26th or 27th, several days after.

Q What did he tell you to the best of your recollection?

A It was different than any read-out call that I had
received. He felt -- I could hear it in his voice and his hesitancy that he felt uncomfortable. He actually said that he could not share the majority of what was discussed because of the very sensitive nature of what was discussed.

He first described the atmospherics and compared it to the previous call, which was April 21st. That had been a short, bubbly, positive, congratulatory call from someone who had just won an election with 73 percent. He said this one was much more, the tone was cooler, reserved. That President Zelenskyy tried to turn on the charm, and he is a comedian and a communicator, but that the dynamics didn't click in the way that they had on April 21st.

Again, he did not share the majority of what was said. I learned the majority of the content after reading the declassified read-out. He did share several points. He mentioned that the characterization of the Ambassador as bad news. And then he paused, and said, and then the conversation went into the direction of some of the most extreme narratives that have been discussed publicly. That's all he said.

Later on, he said that he made reference to a back and forth about the prosecutor general, that would be Lutsenko, saying, you've got a good guy, your prosecutor general, and he's being attacked by bad guys around you, is how I recall Lieutenant Colonel Vindman characterizing it. And then he,
in summation, he said in his assessment, Zelenskyy did not
cross any line. He said that Zelenskyy said, if anything bad
had happened in the past, that was the old team. I'm a new
guy. I've got a new team, and anything we do will be
transparent and honest.

Q And is that as much as you can remember from
your --

A And then there was -- I think the last thing that
Lieutenant Colonel Vindman mentioned was there about a brief
mention by Zelenskyy about U.S. -- interested in working on
energy-related issues. Previously, I should have said, at
the front earlier in the conversation, that he said that
Lieutenant Colonel Vindman told me that President Zelenskyy
had thanked the U.S. for all of its military assistance.
That the U.S. did a lot for Ukraine. And Lieutenant Colonel
Vindman told me that the President replied, yes, we do, and
it's not reciprocal.

Q Is that pretty much what you can remember?

A That is I think the summation of everything I can
recall.

Q Did he tell you anything about the Bidens?

A He did not mention, to the best of my recollection,
including the notes that I took, which I've submitted to the
State Department. He did he -- Lieutenant Colonel Vindman,
did not mention the specifics. He just said, as I said at
the beginning, he said the majority of the conversation
touched on very sensitive topics that I don't feel
comfortable sharing.

Q  Did he mention Burisma?
A  He did not mention any specifics.
Q  And he didn't mention 2016?
A  He did not mention that to me, no.
Q  And did you make any followup inquiries with him
like, hey, can I come over and speak with you in a secure
environment or learn more about this call --
A  None.
Q  It seems like there's some issues relating to one
of the countries that I have responsibility for?
A  I did not, and no.
Q  What was your expectation where you would next
learn more?
A  That was the second conversation between the two
Presidents in April, May, June, July, 4 months. We at that
point were focused on trying to sort through why the Office
of Management and Budget had put a hold on security
assistance. We were also focused on the way forward and
potentially trying to arrange a meeting possibly on the 1st
of September in Warsaw on the 80th anniversary of the start
of World War II, possibly in New York during the UN General
Assembly.
So those were the next step issues in the relationship, both functionally in terms of military assistance, as well as in procedurally in terms of the possibility of a meeting.

Q And the meeting you said could have happened in Warsaw. What was the date that Warsaw was supposed to be?

A The start of World War II was the 1st of September 1939, so the commemorations were the 1st of September 2019 in Warsaw.

Q You said the General Assembly was the 26th, if I'm correct?

A That week, I believe the Monday may have been the 24th or the 23rd, so maybe the 23rd through the 27th was the week of the leaders' participation.

Q Okay. And so then you never -- did you learn any more about that call from any other officials?

A No.

Q So between the time that you had the conversation with Vindman, it was on the telephone, right?

A A secure call between NSC and the State Department, yes.

Q And the time when the transcript was declassified, did anybody else give you a read-out or any information about the call?

A No.

Q When the transcript was released on September -- I
think it was September 25th, did you have an advanced copy of it or --

A I was up in New York engaged in meetings with leaders in my area of responsibility and, no, I did not have any advanced knowledge.

Q Okay. Now, did you have any communications after the call after you spoke with Vindman, did you then subsequently debrief anybody about what happened on the call?

A I may have shared with other people in the European front office, which had a focus on that, and that includes people like Tyler Brace, who is our one political appointee, schedule C, former staffer for Senator Portman, who has a specific interest in Ukraine and Russia, as well as the acting assistant secretary.

Q Uh-huh. Any other individuals that you discussed the call with?

A In terms of giving a substantive read-out, I do not recall having a substantive discussion. We have a weekly secure video conference call with the leadership of Embassy Kyiv, now led by Charge Bill Taylor, it is possible that I discussed part of that with him subsequently.

Q Now, during this time period had you been having communications with Ambassador Yovanovitch?

A At this point she was back in the United States, and so we did have reason to have communications, yes.
Q Okay. And how frequently were you speaking with her?

A I would say we're now talking about the end of July through the month of August, perhaps once or twice a week.

Q And into September?

A Right. The second half of August I was on vacation with my family, so there's no contact there. We got together for dinner in early September. Her mother and my wife were very close socially when we were in Washington, I'm sorry, in Kyiv, so it essentially was a social gathering, a meal shared.

Q And did you relate anything to her when you had dinner with her in early September about the call?

A I may have made some reference to the negative characterization of her.

Q Okay. Do you remember anything else that you may have related to her about that call?

A I would not have -- to the best of my recollection in general, I wouldn't have discussed the substance of the call in part because the read-out of the call I got was not substantive, and second of all, I wouldn't have been appropriate.

Q Okay. So you're having dinner with Ambassador Yovanovitch, it's early September, and you made brief mention?
A I may have made brief mention of negative characterization of her personally.
Q And what was her reaction?
A I honestly don't remember.
Q How long were you having this discussion with her at dinner?
A Generally, this would have been a very short conversation because her mother and my wife were part of it, and we generally avoided talking about anything related to work when we were together.
Q Did she have any followups for you? I mean, the President of the United States -- you know, you related to her that the President of the United States may have mentioned her on a call with President --
A As I think she may have said to you Friday, in part because of the what the Deputy Secretary of State told her, she aware of the President's views of her.
Q So presumably this was really interesting information that you had and you related to her, and I'm just wondering whether there was any additional back and forth. I mean, did she --
A No, not that I recall. Ambassador Yovanovitch is an intensely private person, she's an introvert. And, again, she's also someone who follows very strict what is deemed proper and proprietary, and so that's -- we did not linger on
any conversation of that nature.

Q  Now, when you related this information to her, did you provide any characterization about your view of the call?

A  Not that I recall.

Q  Okay. Did you provide a characterization of your view of how the President conducted himself on the call?

A  No, that wouldn't have been appropriate, and no.

Q  Okay. And after the dinner, early part of September, you know, leading up to the release of the transcript on the 25th, did you have any additional discussions with her?

A  I was on travel for the mid-part of the month. I was back for a couple of days, and then I was up in New York for the U.N. General Assembly meetings, which was, as you said on the 25th, I was in New York when that occurred. So, again, to the best of my recollection, no.

Q  And she was at Georgetown at this point on a fellowship?

A  She was teaching -- yes, a course on diplomacy at Georgetown.

Q  And your office is at the State Department. Did you have an occasion to visit with her during the workday? I mean, did she come over to the State Department? Did you appear at Georgetown at any point in time?

A  No. She at one point asked -- commented that the
students in the Masters program at Georgetown had superior oral briefings skills, but lacked fundamental writing skills. And I had mentioned that previously we used to run essentially remedial writing seminars for the officers in the European bureau as well as Embassy Kyiv, that I helped conduct, and she asked if I had the notes from that, and I said I did. And so I passed her essentially the notes of presentations I had made about writing well.

Q Okay. And then you mentioned that you spoke to her on a somewhat regular basis, but the call never came up other than the dinner?

A To the best of my knowledge, I cannot recall.

Q Okay. The communication you had with Vindman on the 29th, and that was an estimated date.

A It could have been a day or two earlier. It could have been the 29th, honestly. It's several days later, depending on what day the call happened, during the week, it could have been the next Monday, it could have been the Friday, I just don't remember.

Q Fair enough. And you said that was your only communication you had with the NSC about it?

A I did not seek to revisit that issue nor did I talk to anybody else at the NSC about the call.

Q Who else was on the call with NSC, do you remember?

A That call between Lieutenant Colonel Vindman and I
was just a call between the two of us.

Q Okay.

MR. CASTOR: I think I'm out of time here.

MR. ZELDIN: How much time is left?

MR. CASTOR: About 1 minute.

MR. ZELDIN: Okay. I am interested. Why wouldn't you
asked for more information about the call?

MR. KENT: Lieutenant Colonel Vindman was clearly
extremely uncomfortable sharing the limited amount of
information that he did. So he shared what he felt
comfortable sharing, and that constituted the read-out that I
received from him.

MR. ZELDIN: But you didn't want to have more
information?

MR. KENT: He made clear to me that he felt
uncomfortable sharing as much as he had actually shared. So
the relationship between a director of the NSC and say
someone at my level is a relationship, it's intense, it's
frequent, and you have to develop a trust factor. And he
made clear to me that he had shared as much as he felt
comfortable sharing, and I respected that.

MR. ZELDIN: We're out of time, but we might revisit
that.

THE CHAIRMAN: Why don't we take a 10-minute break and
use the facilities, and we'll come back. And try to be
prompt in 10 minutes.

[Recess.]

THE CHAIRMAN: All right. Let's go back on the record. Secretary, I have a few questions for you. I think a couple of my colleagues do, and then we'll go back to the timeline with Mr. Goldman.

I just very briefly wanted to go through a bit of the call records since that was raised by my colleagues in the minority. If you turn to page 2 of that call record at the bottom, this is again the July telephone call between President Trump and President Zelenskyy. The very last sentence reads: We are ready to -- this is President Zelenskyy: We are ready to continue to cooperate for the next steps, specifically, we are almost ready to buy more javelins from the United States for defense purposes.

And there, Mr. Secretary, he's referring to Javelin anti-tank weapons?

MR. KENT: That's correct.

THE CHAIRMAN: That are important in terms of fighting off either Russia troops or separatists in Donbass?

MR. KENT: That's correct.

THE CHAIRMAN: Immediately after President Zelenskyy raises this desire to purchase more javelins, the President says, I would like you to do us a favor, though, because our country has been through a lot and Ukraine knows a lot about
it, I would like you to find out what happened with this
whole situation with Ukraine, they said CrowdStrike. Do you
know what that refers to, CrowdStrike?

MR. KENT: I would not have known except for the
newspaper media coverage afterwards explaining what that was
a reference to.

THE CHAIRMAN: And the President goes on to say, I guess
you have one of your wealthy people, the server they say
Ukraine has it. Do you know what server the President
believes Ukraine had?

MR. KENT: I can only again refer to the media articles
that I have read subsequently about this explaining that
there is, the founder of CrowdStrike who is a Russian
American, and the media as said that that was a confused
identity. But that's again -- the only basis I have to judge
that passage is what I've read in the media.

THE CHAIRMAN: And further on in the paragraph, the
President says: I would like to have the Attorney General
call you or your people, and I would like you to get to the
bottom of it. Do you have any reason to question the
accuracy of that part of the call record?

MR. KENT: I wasn't on the call, and the first time I
saw this declassified document record of conversation was
after it was declassified by the White House.

THE CHAIRMAN: Now, you mentioned that you when you
spoke with -- is it General Vindman?

MR. KENT: Lieutenant Colonel Vindman.

THE CHAIRMAN: Lieutenant Colonel Vindman. When you spoke to Colonel Vindman, he said there was certain very sensitive topics he did not feel comfortable mentioning. Was this one of the topics that he did not mention?

MR. KENT: This whole passage, which you just went through, he made no reference to it. That's correct.

THE CHAIRMAN: If this were a matter of standard U.S. policy of fighting corruption, that wouldn't be a sensitive topic, would it, if the President was actually advocating that Ukraine fight corruption?

MR. KENT: If he had read this to me, I would have asked him what is CrowdStrike and what does that mean, because it's just not clear to me just reading it. As I said, other people interpreted what the context was for that, but again, I'll go back to what I said before.

Understanding that this is a reference to concerns about 2016. If anybody did anything in 2016 that violated U.S. elections or election laws that, you know, there's a reason to investigate something with the U.S. nexus, we should open that investigation. And if the Ukrainians had a part in that, then that would be natural for us to formally convey a request to the Ukrainians.

THE CHAIRMAN: But if it were a legitimate law
enforcement request or if it were a generic discussion of
corruption in line with U.S. policy, it wouldn't have been a
sensitive matter and Colonel Vindman could have raised it
with you, right?

MR. KENT: If it was a normal matter, he probably would
have. Again, when he said that there were sensitive issues
that he didn't feel comfortable talking about, I did not know
what exactly he meant until I read this declassified
memorandum of conversation.

THE CHAIRMAN: Let me ask you about another matter that
it appears he did not bring up with you. The President, on
the top of page 4, says: The other thing, there's a lot of
talk about Biden's son. That Biden stopped the prosecution
and a lot of people want to find out about that, so whatever
you can do with the Attorney General would be great. Biden
got around bragging that he stopped the prosecution. So if
you can look into it.

Was that another one of the very sensitive topics that
Colonel Vindman did not feel comfortable sharing with you?

MR. KENT: That passage -- he made no reference that
would have in his limited read-out to me that would have
matched that passage of the memorandum of the conversation.

THE CHAIRMAN: So the dual request to look into the
Bidens and to look into this CrowdStrike 2016, for lack of
better description, conspiracy theory, Colonel Vindman didn't
feel comfortable informing you that either one of those things was raised by the President during the call?

MR. KENT: That's correct.

THE CHAIRMAN: Mr. Quigley.

MR. QUIGLEY: Thank you, Mr. Chairman. Mr. Secretary, thank you for your service and for being here. Earlier you mentioned that media campaign against the Ambassador took place. Were you aware of who was involved with that media campaign?

MR. KENT: I could only see the figures that voluntarily associated themselves with that campaign in both countries.

MR. QUIGLEY: And who was that in Ukraine and who was that in the U.S?

MR. KENT: Well in Ukraine, very clearly, the prosecutor general at the time, Yuriy Lutsenko, his press spokeswoman retweeted the tweet of Don Trump, Jr. attacking the Ambassador. So very clearly, it wasn't just him personally as a Ukrainian, but the institution.

There were -- I made references earlier to what were known as the Porokhobots, the trolls on social media who were active in support of Poroshenko. And 10 days before the election, rather than attacking Russia or attacking his political opponents, as they normally did, they were attacking Ambassador Yovanovitch and me by name.

So I would say that is cluster of the Ukrainians who
were actively promoting this campaign. And then obviously
the people in the United States that were promoting it.

MR. QUIGLEY: Sure. Referencing Mayor Giuliani, you
became aware of his activities in Ukraine. What was your
understanding while this was happening of what his role was?
A personal attorney working somehow for the government
working as a campaign person's attorney?

MR. KENT: His role in orchestrating the connections
with information from Yuriy Lutsenko seemed to be a classic,
you scratch my back, I scratch yours, issue. Yuriy Lutsenko
told, as I mentioned, Gizo Uglava, that he was bitter and
angry at the embassy for our positions on anti-corruption.
And so he was looking for revenge. And in exchange, it
appeared that the campaign that was unleashed, based on his
interview, was directed towards Americans, principally the
Ambassador, as well as organizations that he saw as his
enemies in Ukraine, the National Anti Corruption Bureau as
well as the Anti Corruption Center.

Several Ukrainians at the time told me that they saw
what Lutsenko was trying to do was get President Trump to
endorse President Poroshenko's reelection. This was
happening in March before the election. That did not occur.
It would not have made a difference either because Zelenskyy,
as noted before, won with 73 percent.

MR. QUIGLEY: To your knowledge, was Mr. Giuliani ever
tasked, coordinated, briefed with anyone at the State Department to do what he was doing?

MR. KENT: To the best of my knowledge, in the first phase of Mr. Giuliani's contact with Ukrainians and his efforts to orchestrate the media campaign, nobody from the State Department had contact with him. When I say the first phase, that is essentially the phase involving Prosecutor General Lutsenko through the election of President Zelenskyy, which occurred on April 21st.

MR. QUIGLEY: So the first phase, but at any time other time and after the fact, were you aware of any tasking, briefing, coordination that took place?

MR. KENT: Yes.

MR. QUIGLEY: And could you detail that?

MR. KENT: At a certain point, I believe in July, then special representative for Ukraine negotiations, Volker, told me that he would be reaching out to Rudy Giuliani.

MR. QUIGLEY: And --

THE CHAIRMAN: I just want to mention, we intend to go through this in a timeline.

MR. QUIGLEY: First of all, it's somewhat news to me, and I'll pass it back if that's what you want, but it seems --

THE CHAIRMAN: We're going to get into all of this.

MR. QUIGLEY: All right.
THE CHAIRMAN: And it may be more orderly to do it in chronological order though.

MR. QUIGLEY: Very good. I'll ask one more question.

In your belief, in your understanding, in your experience, why was the Ambassador recalled?

MR. KENT: Based on what I know, Yuriy Lutsenko, as prosecutor general, vowed revenge, and provided information to Rudy Giuliani in hopes that he would spread it and lead to her removal. I believe that was the rationale for Yuriy Lutsenko doing what he did.

Separately, there are individuals that I mentioned before, including Lev Parnas and Igor Fruman, who started reaching out actively to undermine Ambassador Yovanovitch, starting in 2018 with a meeting with former Congressman Pete Sessions on May 9th, 2018, the same day he wrote a letter to Secretary Pompeo impugning Ambassador Yovanovitch's loyalty and suggesting that she be removed. And others also in 2018 were engaged in an effort to undermine her standing by claiming that she was disloyal.

So that's the early roots of people following their own agendas and using her as an instrument to fulfill those agendas.

MR. QUIGLEY: Okay.

THE CHAIRMAN: Ms. Speier, any questions on what we covered so far?
MS. SPEIER: Thank you for your lifetime of service on behalf of the country. Secretary, as the Deputy Assistant Secretary of State for Eastern Europe and the Caucasus, it would seem to me that you would be familiar with the efforts by the administration to engage with Ukraine. Is that --

MR. KENT: Correct.

MS. SPEIER: So in that circumstance, you were read into that July 25th phone conversation by the Lieutenant Colonel but were not actually on the call?

MR. KENT: Correct. I've never in 27 years been on a call made by a President of the United States.

MS. SPEIER: So that is not consistent with your role then. Okay.

MR. KENT: I have never served at the National Security Council, I've only served at the State Department and at embassies overseas.

MS. SPEIER: All right. You said earlier that you provided all of your documents to the State Department for them to make available to us. Forgive me if I don't think they're re going to be forthcoming. But if you were to identify certain documents in particular, you mentioned a few already today, but if you were to mention certain documents that you think are particularly important for us to have access to, what would they be?

MR. KENT: The, if you will, I guess, the unique records
that I generated in the course of my work would include notes
to the file and conversations that I took down in my
handwritten notes.

MS. SPEIER: Anything else that comes to mind?

MR. KENT: Likely the WhatsApp exchange between me and
Ambassador, or sorry, Charge Taylor.

MS. SPEIER: So is it typical for you to use WhatsApp in
communicating with your colleagues?

MR. KENT: In parts of the world, WhatsApp has become a
very active method of communication for a variety of reasons,
it's considered encrypted, although I don't think text
messages are secure. I believe the voice encryption is still
secure. And in countries like Ukraine there's actually no
data charge for use WhatsApp, and that's what drives the use
of social media, so they pay for text messages, but when they
use social media apps they don't actually pay for that data.
So that has altered communications in parts of world by rate
setting and how people communicate.

So in Latin American, for instance, and in parts of
Europe and Asia, applications like WhatsApp have become the
dominate form of communication.

MS. SPEIER: There has been a lot of conversation
earlier today from our colleagues on the other side of the
aisle about Burisma as being a company that lacked some
ethical commitments and moral compass of sorts. Are there
other companies in Ukraine that would fall in that same
category?

MR. KENT: There are many companies in Ukraine that
might fall into that category, yes.

MS. SPEIER: Could you give us some examples?

MR. KENT: If you took the roster of the richest
Ukrainians, they didn't build value, they largely stole it.
So we could go down the richest 20 Ukrainians and have a long
correspondence about the structure of the Ukrainian economy,
and certainly most of the billionaires in the country became
billionaires because they acquired state assets for largely
under valued prices and engaged in predatory competition.

MS. SPEIER: Burisma doesn't stand out as being
different from any number of companies?

MR. KENT: I would say that Mr. Zlochevsky's actions
stood out in one way that he was the actual minister who
awarded himself the licenses to explore for gas exploration.

MS. SPEIER: Okay.

MR. KENT: Other people may have just had the minister
on their payroll.

MS. SPEIER: Okay. Going back to that July 25th call,
there was a lot of exchanges between Ambassador Sondland, Mr.
Volker, and also the Charge Taylor about whether or not the
aid would be forthcoming, whether or not the statement would
be written. Were you privy to any of that?
MR. KENT: I did not participate in those exchanges by virtue of the fact that, to the best of my knowledge, you don't have me as a participant in those exchanges, and none of those have been released.

I did have my own dialogue with Charge Taylor in the course of our work, in the same way that I had a dialogue with Ambassador Yovanovitch and with our ambassadors in Moldova, Azerbaijan, Armenia, and our Charges in Georgia and Belarus.

THE CHAIRMAN: And I would like to address my colleague we're going to get to that through the timeline.

MS. SPEIER: I'm particularly interested in 2017. Are you going to take care of that?

THE CHAIRMAN: We are. Can I suggest that we have the counsel continue with the timeline, and then as we get through it members can add in with questions. Thank you.

Mr. Goldman.

MR. GOLDMAN: Thank you, Mr. Chairman.

BY MR. GOLDMAN:

Q Focusing your attention on May of this year when I believe you said that Rudy Giuliani met in Paris with Nazar Kholodnytsky, who was the prosecutor of the anti-corruption.

A The special anti corruption prosecutor, yes.

Q Anti corruption, okay. And he had already been removed by that point, right?
No, he had been under pressure for over a year. We stopped cooperating with them approximately in March of 2018 when the so-called fish tank scandal emerged.

Q Okay. Just to summarize. You have testified today that Mr. Giuliani met with Yuriy Lutsenko in January, that he advocated to get the former Prosecutor General Shokin a visa in January. And then he met with a special prosecutor in May, who the U.S. had ceased all former relations with. And Lutsenko and Shokin are generally, the general consensus belief is that they either are or, at this point, or were corrupt prosecutor generals. Is that an accurate summary of Mr. Giuliani's meetings with prosecutors in Ukraine?

A Yes.

Q Okay. And you also indicated that by May of this point, Mr. Giuliani had been on television and in the media advocating for the four story lines that you summarized from those March articles. Is that right?

A Correct.

Q Okay. And then in May you went to Ukraine and you had meetings with Ukrainian officials, two of whom mentioned to you that Mr. Giuliani wanted to meet with them. Is that right?

A Mr. Avakov mentioned Giuliani. I can't recall if Mr. Bakanov mentioned Giuliani when we first talked, the one name that I wrote down in my notes was that he mentioned
Fruman, he said he didn't remember the other name, and later he sent me the business card of Fruman and Parnas.

Q  Thank you for clarifying that. But he knew that Fruman and Parnas were associates of Giuliani, right?
A  Correct.

Q  Now, you would agree, right, that high-level Ukrainian officials don't meet with every private American citizen who travels to Ukraine. Correct?
A  Correct.

Q  So the Ukrainians certainly understood that Mr. Giuliani was not a regular private citizen. Is that right?
A  Correct.

Q  And would you assess that they understood that he represented President Trump?
A  They understood that Mr. Giuliani asserted he represented Mr. Trump in his private capacity. Yes.

Q  Did they understand what that meant? Private capacity versus official capacity?
A  Ukrainians such as Arsen Avakov are experienced players willing to meet with anybody. The team of the incoming president at that time, President-elect Zelenskyy, had spent their entire careers as a tight-knit group of entertainment company executives who had no experience in politics. So they were looking to try to figure out to understand how to navigate political networks.
Q And did you speak to any of the incoming officials about Mr. Giuliani in this May, June timeframe?

A My conversation with Mr. Bakanov, as I recounted part of it before when he gave the names of the associates, one of whom he knew, the other he couldn't remember, when he asked for my counsel, I had suggested, as I said, someone like you who's an associate could meet and hear somebody out without making commitments. But at this time it would be my best counsel to you to shield your President-elect from private citizens.

Q And to your knowledge was Mr. Giuliani promoting official U.S. policy in Ukraine at this point?

A Mr. Giuliani is a private citizen who was not a U.S. Government official.

Q But I understand that, but is what he was pushing consistent with official U.S. policy?

A Mr. Giuliani was not consulting with the State Department about what he was doing in the first half of 2019. And to the best of my knowledge, he's never suggested that he was promoting U.S. policy.

Q And the actual efforts that he was making, just to be very clear, were they consistent with what official State Department policy was?

A The U.S. has a lot of policy interests in Ukraine. It involved promoting the rule of law, energy independence.
defense sector reform, and the ability to stand up to Russia. As a general rule, we don't want other countries involved in our own domestic political process, no.

Q So around this -- at the end of May, there was the inauguration of President Zelenskyy. Is that right?

A Correct. I believe it may have been May 20th, to be precise.

Q Were you involved at all in the discussions about who would represent the United States at that inauguration?

A Yes.

Q Can you just summarize for us what your involvement was and what those discussions entailed?

A The starting point was the conversation between Presidents Trump and President-elect Zelenskyy on election day. President Zelenskyy asked if it would be possible for President Trump to come to inaugural. There was no date at that point. President Trump suggested that he would talk to Vice President Pence, and schedules willing, that he hoped it could work out, but in any case, the U.S. would have representation at the inaugural. That was April 21st.

By the time we got close to when the inauguration date was set, which was on very short notice, the outgoing Ukrainian parliament voted on May 16th, which was a Thursday, to have the inauguration on May 20th, which was a Monday, leaving almost no time for either proper preparations or
foreign delegations to visit.

So we scrambled on Friday the 17th to try to figure out who was available. Vice President Pence was not available. Secretary of State Pompeo was traveling. And so we were looking for an anchor, someone who was a person of stature and whose job had relevance to our agenda.

I suggested to Lieutenant Colonel Vindman, since there oftentimes is this dialogue between the State Department and the NSC for inaugural delegations, to having the NSC ask Secretary of Energy Perry. Because he had traveled to Ukraine, understood the issues, and energy was one of the top three issues that we were working with Ukraine. So that was the start of that conversation, and then it was a matter of building out possibilities.

Inaugural delegations are determined by the White House. So whatever the NSC and the State Department worked together as options, ultimately the decision is made elsewhere. As an example, when President Yushchenko was inaugurated in Ukraine in 2005, and I was the control officer on the ground at the time, the delegation was Secretary Colin Powell in his last act as State of State, and five Ukrainian Americans. That's it.

In this case, we proposed a group of officials that we thought were relevant, those included a number of Senators and as well as Marcy Kaptur, the head of the Ukrainian
American Caucus in the House. It included some Ukrainian American leaders here in the United States, as well as officials. That was about 15 in total to play with. Former National Security Advisor Bolten weighed in at some point in the process, and eventually the White House settled on a list, which was, in the end, Secretary Perry, Lieutenant Colonel Vindman representing the NSC, Ambassador Sondland, Ambassador Volker, and then our Charge in country at the time, Acting Joseph Pennington.

Q: Was Ambassador Sondland on the State Department's original list?

A: He was not somebody that we initially proposed, but Ambassador Sondland has his own networks of influence, including chief of staff Mulvaney. So it did not surprise us when he weighed in, his name emerged.

Q: Why did it not surprise you. What did you understand Ambassador Sondland's role in Ukraine to be by March 17th of this --

A: Ambassador Sondland had started cultivating a relationship with the previous Ukrainian President Poroshenko. He visited, as I recall, a ship visit to Odesa, which may have been where he first met Poroshenko and other leaders. And so in the same way that he had expressed an interest in our relationship with Georgia starting late in 2018, early this year he expressed an interest in playing a
role in managing our relationship with Ukraine.
[3:24 p.m.]

BY MR. GOLDMAN:

Q And you described an independent relationship that he had with the chief of staff. What do you know about that?

A Well, I think the proof in the pudding is, after the delegation went to the inauguration on May 20th and had a meeting with President Zelenskyy -- and that included Senator Ron Johnson, who was there not as part of the Presidential delegation but separately. But he sat in the meeting with Zelenskyy, and then he joined a briefing to the President in the Oval Office on May 23rd.

It was Ambassador Sondland's connections with Mulvaney that got them the meeting with the President. It was not done through the NSC staff, through Lieutenant Colonel Vindman and Ambassador Bolton.

Q I don't understand what you mean.

A Well, normally for international issues, meetings would appear on the President's calendar because they were proposed by the National Security staff and pushed through the National Security Advisor. In this case, the out-brief to the President of the inaugural happened because of Ambassador Sondland's connections through Chief of Staff Mulvaney, to the best of my knowledge.

Q So you're talking about President Trump's debriefing after the inauguration on May 23rd.
A The inauguration on May 20th. The Oval Office meeting to talk about that and the way forward occurred in the Oval Office on May 23rd.

Q Before the inauguration, you just mentioned that you were not surprised that Ambassador Sondland was added to the list because of his relationship with the chief of staff. Were you aware of Ambassador Sondland having any significant role in Ukrainian policy for the State Department by mid-May?

A Again, I don't remember when the ship visit was to Odesa, but I think Sondland's visit to Ukraine to Odesa for the U.S. port visit was the start of his involvement.

Q I understand that. I'm asking way ahead. If that was during the time that President Poroshenko was the President, that was earlier.

A But it was the last month of his presidency. So he did call President Poroshenko in March for instance after the attack started on Ambassador Yovanovitch to suggest the Poroshenko back off. So his acceleration of his involvement in Ukraine and in our relationship was in one phase, just starting the last month or two of Poroshenko's presidency, and it accelerated after President Zelenskyy's assumption of office on May 21st.

Q Did it also accelerate after Ambassador Yovanovitch was recalled?

A Ambassador Yovanovitch was recalled on the 26th of
April, and she was out of the country by the time President Zelenskyy was inaugurated on May 20th. So it was coterminus. She essentially ceased serving as Ambassador, the functions of Ambassador, on April 26th.

Q Right. And after that, did Ambassador Sondland's role increase in Ukraine?

A Yes.

Q Were you aware of whether that went through official channels or how that came to be?

A The way that came to be was the main three U.S. officials, executive branch officials, Secretary Perry, Ambassador Sondland, and Special Representative Volker, were part of that briefing of the President. And they came out of that meeting asserting that going forward they would be the drivers of the relationship with Ukraine.

Q Before the inauguration did you have any conversations with the Ambassador Sondland about Ukraine generally?

A To the best of my knowledge, before May, likely during the chief of mission conference where all ambassadors come back for several days in mid-January, Ambassador Sondland came through the office suite where my office is to see my colleague who works with Western Europe. Julie Fisher (ph) is her name. And she introduced him to the other people in the office. So I shook his hand. There was no
conversation, but that was the first time I had met him.
without a substantive conversation, in January.

Q So you did not speak to him again after January?
A To the best of my recollection, we had no direct
conversation and were not in each other's presence until the
U.N. General Assembly week, the last week in September.

Q So you did not attend that Oval Office meeting on
May 23rd, right?
A I did not.

Q Okay. Did you get a readout of what occurred?
A There were several readouts. That particular week
I was -- my eldest daughter graduated from Boston University
and I then took my kids and my wife up to Acadia National
Park we were hiking on Cadillac Mountain so I was not in
Washington those days where the readout occurred May 23rd.

Q So did you subsequently learn what occurred?
A So there were several readouts provided secondhand
from representatives who had been in that meeting and
presumably those will be part of the documents that were
collected as part of your requested documents and --

Q So you're -- sorry. You're referring to written
readouts?
A Written readouts. I believe there were three
separate readouts. Again not from anyone that I got that was
forwarded by email. Specifically Fiona Hill whom I'm
gathering that the committee talked to yesterday. She gave a
readout to my office director who was probably acting for me
that week, [REDACTED], normally office director of Eastern
Europe. Kurt Volker gave a readout to his then-special
assistant, Chris Anderson (ph), who is currently a language
student. And Gordon Sondland would have given a readout to
somebody that would have been forwarded to us.

So when I came back from my New England vacation, I had
three different versions of that conversation in my inbox.

Q And so what did you -- just quickly, what did you
understand to have occurred at that meeting?

A I should say that in addition to those secondhand
accounts I eventually heard Kurt Volker's account directly
from him, the way he characterized it to a number of
interlocutors when we were together in Toronto on the 1st and
2nd of July for the Ukraine Reform Conference and the
interlocutors included President Zelenskyy himself. He said
that President Trump had been very angry about Ukraine, he
said that they were corrupt, and they had wished him ill in
2016. So that was one part of the discussion.

On the other hand, by the end of the meeting there was
agreement that they would work moving forward to work towards
an Oval Office visit, a visit to the White House which
Presidents Zelenskyy and Trump had talked about in that
initial call on April 21st. And that energy issues would be
of importance going forward, keeping in mind not only
Secretary Perry's presence, but the concern that the
Russians were going to cut all gas transit through Ukraine on
New Year's day the way they had done three times since 2006.

Q You --

A And finally sorry. The last point that I recall
from the readouts was that there would be an accelerated
search for a political nominee for Ambassador, as opposed to
having a career Foreign Service officer proposed from the
State Department.

Q Were you aware of any evidence that Ukraine was
involved in any way, Ukrainian officials were involved in any
way in interfering with the 2016 election?

A I'm not aware of any evidence to that effect, no.

Q And you're familiar with the Intelligence Community
assessment about Russia's interference?

A I have read the documents that have been made
available to me as part of my read. The Office of
Intelligence and Research briefs me twice a week, but that
does not mean that I've read every document about Russia, no.

Q No, I understand, there is specific document that
the Intelligence Community assessment about Russian
interference in the 2016 election. Are you familiar with the

A I know that it exists. I can't say -- I don't
recall reading any special confidential version of it. And to the extent that it has been discussed in general in the media I'm aware of those findings.

Q And you're aware that the Intelligence Community uniformly determined that Russia interfered in the election?

A I'm aware of that general conclusion, yes.

Q And are you aware that Special Counsel Mueller indicted I believe 12 Russians and laid out an indictment --

A Yes.

Q -- how Russia interfered. Right?

A Yes.

Q Do you have any reason to believe that both of those either the indictment or the Intelligence Community assessment is wrong in any way?

A I have no reason to believe that, no.

Q Okay. You mentioned this April 21st call. And we haven't touched upon it touch. You said you were not on the call. Did you get a readout of that call as well?

A I did.

Q And what did you learn that was discussed on that call?

A Again, I received that readout from Lieutenant Colonel Vindman. It was a very short and nonsubstantive call, as you might expect. As I recall April 21st was Easter Sunday in the United States. Again, Ukrainians are Orthodox.
Different calendar. And we were very pleased that the President agreed to call on election day on a Sunday. We had presumed that it might happen the next workday, which was a Monday. And as you might expect on a Sunday call when it was probably past midnight in Ukraine on election night, President Zelenskyy was in a good mood, President Trump was very positive and congratulated him on a great win.

And President Zelenskyy, as I recall what Alex told me, said that he had studied President Trump's win in 2016 running as an outsider and had adopted some of the same tactics. And invited President Trump to his inaugural, the date to be determined. And President Trump, as I said, acknowledged he would try to find somebody appropriate to attend. And said, we'll try to work on getting you to Washington.

And that was more or less the extent that probably was something more said, but you know on an election day the point is what Alex summed up was, Lieutenant Colonel Vindman, those types of calls are designed to build rapport and he thought it was successful doing so.

**Q** Following the May 23rd Oval Office meeting, where there was a -- you testified there was a decision to try to arrange a White House meeting. You know, what if any actions did you take or were -- did other Ukraine-focused government officials take to try to set that up?
That's the function of the national security staff.
To the extent that there is input, they ask for input from
other officials, other offices. We obviously stand ready to
be supportive but that's -- that's their function. That's
not our function --

Q: Were you supportive of a White House meeting?
A: I was, the State Department was. Ukraine is an
important country that Congress appropriates roughly in the
ballpark $700 million a year in assistance and Zelenskyy won
a clear mandate for change and so we were supportive of a
visit to the White House, yes.

Q: Did you have any reason to doubt Zelenskyy's
sincerity about his anticorruption views?
A: I had no reason to doubt the sincerity of Zelenskyy
trying to represent change for his country based on the
series of meetings I had with him dating back to December
2018. Starting from the beginning it was clear that he had a
prior association with a fairly notorious oligarch named Ihor
Kolomoisky and that was going to be a mark of his willingness
to really make a break from past relationships and stand on
principle.

So from not necessarily our first conversation in
December, but in the second conversation in March prior to
the election, we were already talking about Kolomoisky and
the downsides of association with somebody who had such a
bad reputation.

Q  And how important is -- would a White House meeting be to President Zelenskyy?

A  The President of the United States is a longtime acknowledged leader of the free world, and the U.S. is Ukraine's strongest supporter. And so in the Ukraine context, it's very important to show that they can establish a strong relationship with the leader of the United States. That's the Ukrainian argument and desire to have a meeting.

The foreign policy argument is it's a very important country in the front lines of Russian malign influence and aggression. And the U.S. spends a considerable amount of our resources supporting Ukraine and therefore it makes sense. But that's the arguments for a meeting. The time on a President's schedule is always subject to competing priorities.

Q  Following that meeting you said that Secretary Perry, Ambassador Sondland and Ambassador Volker had asserted that they were leading Ukrainian policy efforts? Did I get that right?

A  Correct.

Q  Who had asserted that?

A  Well, the three of them asserted that. And citing the fact that they had briefed the President coming out of that meeting, they felt they had the mandate to take the lead
on coordinating efforts to engage the new Ukrainian leadership.

Q And what engagements with the new Ukrainian leadership occurred following that meeting up until the conference on July 1st that you're aware of?

A I do not -- I do not recall. Special Representative Volker traveled frequently to Ukraine so it is possible that he may have gone in late May. I just don't recall precisely. He traveled frequently there.

There was a coordinating meeting in the Department of Energy in mid-June, on June 18th. So Secretary Perry chaired that. Ambassador Sondland, Ambassador Volker from the State Department, Acting Assistant Secretary Reeker, my direct supervisor, Tyler Brace, all attended that meeting in Secretary Perry's office, and they also connected recently arrived Charge Taylor from Kyiv.

So I would say that, to the best of my knowledge, after that May 23rd meeting, this June 18th meeting was the next meeting where a number of officials got together specifically to talk about policies and programs towards Ukraine.

Q And in June and early July, are you aware of any conversations that Ambassador Sondland might have had with the Chief of Staff Mulvaney about Ukraine and President Zelenskyy?

A I'm not aware of conversations between Sondland and
Mulvaney, but frankly that's a relationship that I would not be a part of. To the best of my -- what I am aware of is that subsequent to the June 18th meeting, there was a June 28th conference call between Secretary Perry, Sondland, Volker, and involving Charge Taylor, at the end of which they were patched through to President Zelenskyy.

Q And what did you learn about that conversation?

A I do not recall. I got a readout of that conversation. Initially I have an email suggesting that Ambassador Sondland on June 27th had written Charge Taylor to suggest that that would be a U.S.-only meeting or a U.S.-only call. But in the end, on the next day, it turned into a call with President Zelenskyy after a pre-conversation among the Americans, based on what Charge Taylor has told me.

Q Was it unusual that you were not included on that conference call?

A Well, if it involves the Secretary of Energy it's not necessarily unusual. But again, that was I think a period of time where the direction of our engagement with Ukraine shifted into shall we say unusual channels.

Q And what do you mean by unusual channels?

A Well, I think it's somewhat unusual to have an Ambassador to the E.U., plus the Secretary of Energy engaged deeply in the policy towards a country that is not a member of the E.U. It was just -- again, we had our Special
Representative for Ukraine Negotiations, and I know you've
talked to former Ambassador Volker. His listed
responsibilities were focused on negotiating with Russia over
their war in Ukraine, and then Charge Taylor as the lead
representative in country.

And so frankly, in that constellation Charge Taylor was
the primary voice for our full interests as the Charge of our
mission in Kyiv.

Q  And one more question, you said that you learned of
the call from Charge Taylor.
A  Correct.

Q  But he did not give you a substantive readout of
the call?
A  He did give me a readout, yes. He gave me a
readout of prebrief with the Americans.

Q  And what was that readout?
A  He indicated that there was a discussion about the
need to raise a sensitive issue with Zelenskyy. And in that
discussion Ambassador Volker volunteered that he would be
seeing Zelenskyy in person the next week in Toronto and that
was the meeting in which I participated on July 2nd.

Q  Do you know what the sensitive issue was?
A  Kurt Volker told me that it was giving guidance to
Zelenskyy on how he needed to characterize his willingness to
be cooperative on issues of interest to the President.
Q  Such as?
A  I did not have the full details of what exactly that was, but I think it was sending signals about potential investigations.
Q  I think our time is up. We yield to the minority.

BY MR. CASTOR:
Q  Vindman was on the July 25th call?
A  The July -- yes.
Q  And was he on the April 21st call?
A  Yes.
Q  Was he in the meeting with the President on May 23rd?
A  I do not know and I think not.
Q  Okay. You said you got three readouts, one from Fiona Hill, one from Sondland, and one from Volker?
A  The initial readouts I got were, yes secondhand from these three people. It was my understanding.
Q  -- in on the meeting?
A  My understanding is again Fiona didn't give it directly to me. My understanding is that she may have gotten it from deputy -- then deputy national security advisor Kupperman.
Q  She sent you the readout?
A  No. She had a conversation with [redacted], who was the acting deputy assistant secretary at the time. To
the best of my knowledge. I received the readout from [Redacted] once I came back from my vacation.

Q Okay. You said when you returned to your office you had three emails. Is that --

A Yes. I believe I got an email with [Redacted] readout of a conversation with Fiona, Chris Anderson's readout that he got from Kurt Volker and a third readout from someone in the State Department who worked with our mission to the European Union that would have had Ambassador Sondland's version.

Q So Sondland gives a readout to his staffer who writes it up, sends an email.

A Yes.

Q Volker produces one with Christina Anderson?

A Chris Anderson.

Q Chris Anderson. And so then help me understand again. Like who produced the one from the NSC?

A So Fiona had a conversation. To the best of my recollection, she had a conversation with [Redacted], who is normally the director for Eastern Europe and, while I was away at my daughter's [Redacted], was acting in my stead as acting deputy assistant secretary.

Q Oh, okay. So he's a State Department employee.

A He's a State Department employee, yeah.

Q Was she in the meeting?
A My understanding is -- again, I did not talk to her, but my understanding was that her version of the readout came from Mr. Kupperman, the then deputy to Ambassador Bolton. But I'm not sure.

Q Was he in the meeting?

A I'm not sure. My understanding again, this is now third hand from [redacted] is that Fiona's readout came from Kupperman, not from her participation in the meeting. But I don't know. I have not talked to Fiona about that.

Q Okay. Was Kupperman in the meeting?

A My understanding from what I heard from [redacted] relaying what he heard from Fiona his impression was that that came from Kupperman who was in the meeting. But I can't --

Q He was in the meeting?

A Huh?

Q He was in the meeting?

A That is the impression I received from talking to [redacted].

Q Did any of these readouts have a list of officials in the meeting?

A No.

Q Okay. Can we just go through who we think was in the meeting? We know Secretary Perry, Senator Johnson.

A To the best of my knowledge, the principals --
Q Ambassador Volker.
A -- the briefers to the President were those that represented lead officials and that would be Secretary Perry, Ambassador Sondland, Ambassador Volker and Senator Johnson.
Q And they brought staff to the meeting?
A I do not know. I was -- again, I was on leave status.
Q Okay.
A And I wasn't in the meeting and wouldn't have been in the meeting even if I were in Washington.
Q Okay. Who from the NSC was in the meeting?
A To the best of my understanding, all I know is that Charlie Kupperman -- or Kupperman. I don't know first name, sorry. Kupperman, former deputy National Security Advisor Kupperman may have been in the meeting.
Q Okay. But Vindman wasn't?
A That is my understanding, correct.
Q Did Vindman tell you subsequently that he wasn't in the meeting?
A I didn't ask if he was in the meeting, because when I returned from work I had three different version or readouts of the meetings from others.
Q But you had regular communications with Vindman.
A Right?
Q I did.
Q And did he ever at any point in time tell you that he wasn't in the meeting or was being excluded from things?
A We didn't have a conversation along those lines.
No.
Q Do you think he was excluded?
A I honestly don't know. And I had three different versions of the meeting so I wasn't looking for a fourth.
Q And in your regular communications with Vindman do you have any reason to believe that he's been cut out of any of these discussions? Not just about the May 23rd meeting, but about subsequent relevant events?
A Again, I don't -- I go over to the NSC when there are meetings that the NSC does not want to allow the State Department to be on the secure video conference system, but apart from specific meetings that I'm invited over, I don't go over there on a regular basis just because it takes time. It's easier if they'll allow us to be on video conference. It is a better use of my time. So I would say I have more communications with Lieutenant Colonel Vindman by email and phone call.
Q Okay. And in any of those emails or phone calls has he alerted you that he -- he's been cut out of the process?
A He is a lieutenant colonel and colonels who have served in staff positions generally aren't people who
complain. He's a -- he was a campaign planner before he came over to the NSC and he has that campaign planning mentality, you know, what's the goal and he'll plow forward. That's just his personality.

Q  Okay. And do you think he is plowing forward?

A  He's very active at scheduling interagency meetings and asking the State Department to write papers for him.

Q  But plowing forward, does it have some sort of connotation that he's going through a tough time and he's --

A  No. He's a lieutenant colonel who spends his day working on campaign plans. That's what his -- that was his job at the Joint Chiefs of Staff before he was brought over as a detailee to the NSC. I think if you talk to most State Department employees will have an opinion that the role of the National Security Council is to coordinate the work of other agencies, not to task us. We don't respond to them. And occasionally we have to remind them of that.

Q  You have to remind him of that?

A  My staff oftentimes complains that they feel that he thinks that they work for him the way he works for other people at the JCS and have asked me on numbers of occasions to gently point out to him that we don't report to him. So I have supported my staff in gently suggesting that he remember what the roles of the National Security Council staff are vis-a-vis a bureau and an executive agency like the State
Q Did he receive that warmly?

A He received it with a smile and that's -- we have a good working relationship. I would say there's more tension perhaps between him and the staff that work for me, but we have a respectful working relationship.

Q Okay. And in Fiona Hill's readout what was her -- what can you remember from her readout?

A I think -- what I recall and I can't say the specific details particularly since there were three versions floating around that I read in rapid succession, just by tonality that the meeting was perhaps more problematic than the initial readouts that we got through secondhand knowledge of what Ambassador Sondland and Ambassador Volker said.

I believe one element and I can't remember where this came from that initially the President did not want to sign a congratulatory letter. And he actually ripped up the letter that had been written for him. But by the end of the meeting, he'd been convinced and the version I recall hearing was Ambassador Sondland helped draft it. And to be honest, the second version of the letter actually read better than the first version. I wasn't involved in either of them because I had been on leave and eventually that letter was signed.

Q At the State Department in the wake of Ambassador
Yovanovitch's, her recall, can you describe the morale with those closest to her?

Q When you say those closest to her, are you referring to the embassy staff that had been working for her in Kyiv?

A And her close confidants here in Washington.

Q I don't know who her close confidants in Washington would be. I was, as I mentioned, in Ukraine and Kyiv at the embassy on May 8th. I did offer to have a restricted townhall meeting for Americans, essentially, in our version of the SCIF, and the country team, the meeting room, where we'd have -- and anyone who wished to have a conversation about what had happened and the way forward.

And my sense was -- one of them actually said that when the attacks started in March, particularly after members of the President's family started attacking her, at some level they realized that she was going to be recalled, and it was a matter of when, not if. Their question, as people working at the embassy, was what was going to be the impact on them, on the embassy, and on our policy towards Ukraine.

And so, while I did -- basically I was willing to answer any questions, I think they were more focused, at that point, already, having digested that she had been removed, and they wanted to know what was going to happen next. So I assured them that our policy was our policy and it would remain our
policy. And that we were in the process of trying to find an
experienced person that temporarily would lead the mission
and would be a good leader for the people working there, the
250 Americans working in our embassy, and also someone that
could be a voice and face for U.S. policy in Ukraine.

I honestly cannot remember, but probably did not say
that it was going to be Ambassador Taylor. He was the one we
all wanted at that point, but we still had to work out
whether we could bring him back. And those details with the
personnel system had not yet been finalized.

Q Would Ambassador Taylor have fit the mold for the
type of person that was discussed in the meeting with the
President?

A When you said the person discussed in the meeting
with the President, meaning what?

Q Well, the meeting with the President, you related
that President Trump seemed angry, that he was, you know,
Ukraine was corrupt. That there are those in the Ukraine
that wished him ill in 2016 and they were going to work
towards an Oval Office meeting, energy issues were important
and then you mentioned that there was a decision to put in a
new political Ambassador.

A So Charge Taylor, notwithstanding the fact he was
nominated and confirmed by the Senate, nominated under
president George Bush, was not a permanent nominee for the
position of Ambassador.

Q Okay.

A He was called back essentially to government service because he knew all the players. He's a bundle of positivity and gets along with everyone and he's a real leader. He was a long time senior executive at the State Department, but he was a graduate of West Point who joined the 101st, and he was platoon leader in Vietnam and in Germany. So it is hard to find anybody hasn't been impressed by Bill Taylor.

Q And is there still an effort afoot to find a permanent political Ambassador?

A There is. And that is the job of the White House because it is the President's prerogative to appoint, nominate an Ambassador and then the Senate's role to confirm.

Q During his tenure as Vice President, Joe Biden had a role with regard to Ukraine. Is that correct?

A Correct.

Q And what was the role as you understood it? And you were in country at the time, right?

A I was, although his involvement in Ukraine predated my return to the Ukraine account. I believe -- it should be a matter of record, but I believe as Vice President he visited Ukraine six times, which probably is unusual for any country outside of the usual countries like Germany, like --
one of which I believe would've been when the former leader
Yanukovych was there and then the subsequent visits
afterwards.

By the time I came back on the account, it was clear
that President Obama, towards the end of his administration,
had delegated several foreign policy issues in Europe to Vice
President Biden to take the lead. Ukraine was one of them;
Cyprus was the other.

So, if you will, Vice President Biden was the top cover.
The State Department's lead official
post-Russian-invasion-of-Ukraine/occupation-of-Crimea was
Assistant Secretary Victoria Nuland. And then we had a very
active Ambassador, Geoff Pyatt, at the time. And so those
were the chief voices on our Ukraine policy: Pyatt as chief
of mission, Toria as the assistant secretary, and Vice
President Biden as Vice President.

Q When he got involved with advocating for the
removal of Shokin, what type of planning went into that? Was
that something that was planned for on the Vice President
side of things or did the embassy or the State Department tee
him up with the right information he needed to weigh it into
that?

A Geoff Pyatt allowed me to go back to my family at
Thanksgiving. I had come out on an emergency basis for my
predecessor [redacted]
And I came out on 24 hours' notice to Ukraine the beginning of October for my third stint. So I was not in country at the time of the visit and planning.

My understanding is that the conversations that were near-daily between Ambassador Pyatt and Toria Nuland regarding what to do on the way forward then included pitching the Office of the Vice President to push President Poroshenko to remove Shokin.

There was a similar push against Prime Minister Arseny Yatseniuk, who had several different corrupt political backers. And there was one named Martynenko who was involved in all sorts of dirty business, including nuclear fuel supplies from Russia. And so we pressured Yatseniuk to have one of his corrupt cronies resign, and Martynenko resigned.

And there was also the pressure on Poroshenko, on the corrupt prosecutor general, and Shokin was not dismissed, I believe, until early March, so 3 weeks after Vice President Biden's visit in December 2015.

Q The Vice President, he relates to some of these details on a video that's been published on I think the Wall Street Journal. Have you seen that video?

A I did. To the best of my recollection, he was at some conference, maybe Council on Foreign Relations, sometime in 2018, and he was telling the story in a sort of folksy manner.
Q He was folksy. And he describes a quid pro quo where, you know, $1 billion worth of aid would be held up until they fired Shokin. Is that what your understanding of the way he tells it?

A That is -- sounds more or less like what he said on that stage. Yes.

Q And going back to 2016 when it actually happened, was that the way it went down?

A Again, I was in -- briefly in Ukrainian language training at the time of his visit so I was not in Ukraine. I would think that the State Department could produce documents related to the sovereign loan guarantees and the timing of those three guarantees to align the timing.

We provided one in 2014, one in 2015, and one in 2016. And I do not recall the exact timing of the issuance of those loan guarantees, but I'm not aware that they aligned perfectly with his visit to Ukraine on December 2015.

Q Okay. But you think it is fair to say that this was a bottom up initiative?

A To the best of my knowledge, the idea came from Ambassador Pyatt in discussion with Assistant Secretary Nuland and then was pitched to the Office of the Vice President.

Q Okay. So if we're going to pursue additional information on that, we would probably have some documents to
inform us that we could ask for.

That would be my impression. I would just note
having read the subpoena that the document request was date
timed I believe starting January 20 or 21st, 2017. And we're
talking about events that happened in November, December,
2015.

MR. ZELDIN: Steve, if I can ask, did you know at the
time of the Vice President's visit when he had made that
threat that he was going to make that threat? I mean, or was
it some other expectation more narrowly tailored towards
advocating for Shokin to be removed?

MR. KENT: Yeah. I know as was discussed earlier, the
U.S. the IMF, the European Union countries, we had all come
to the conclusion in the wake of the diamond prosecutors
affair that there was going to be no progress for reform on
the prosecutor general under Shokin.

But specifically about how the Vice President's trips
messaging was managed by that point. I left the day before
Thanksgiving to fly back to the U.S. and to go into Ukraine
language training. So at that point I was not privy to those
discussions in the two weeks prior to the Vice President's
visit.

MR. ZELDIN: So you don't know whether or not the Vice
President was going to threaten the loss of $1 billion?

MR. KENT: My understanding, as I explained, is that
that was an approach that was discussed between Ambassador Pyatt and Assistant Secretary Nuland to use his visit as leverage. This was an issue that Ambassador Pyatt and Assistant Secretary Nuland in her visits that was an agenda item that they were pushing. And in the same way that the Department of Justice official asked me to go in to the prosecutor general office office in February 2015 and ask who took the bribe and how much was it to shut down the case against Zlochevsky, the Ambassador and Assistant Secretary Nuland asked the office of Vice President if the Vice President could push this tough message.

MR. ZELDIN: And to be clear, was Ambassador Pyatt and Assistant Secretary Nuland advocating to threaten the loss of $1 billion?

MR. KENT: I believe that is the case. But again, we're now relying on my memory of almost 4 years ago. So I believe it was pushing the Ukrainians essentially for an additional what would be called a prior action before we would issue the sovereign loan guarantee. But I think that's something that we would have to look at the documents from that period of time.

MR. ZELDIN: You as the deputy chief of mission were not involved in that process.

MR. KENT: So in parts of 2015 I went out as essentially the acting deputy chief of mission. I then came back to the
U.S. the day before Thanksgiving and was in the U.S. for 3.5 months for language training and then returned to Kyiv in late March 2016. So in the 2 weeks prior to the Vice President's visit, I was already back in the U.S. as a language student as opposed to being an active participant in the conversations.

MR. ZELDIN: And you referenced Ambassador Pyatt, you referenced Assistant Secretary Nuland. Of anyone involved in that process, are you aware of anyone in contact with Hunter Biden at the time other than the Vice President?

MR. KENT: I am not aware of, no.

MR. JORDAN: One quick question.

Mr. Secretary, you leave 2 weeks before the Vice President gets there. But this policy, this idea that we were going to call for Shokin's removal it didn't just develop in those two weeks.

MR. KENT: Correct.

MR. JORDAN: You weren't involved in a discussion and a decision to say this is going to be our official policy we're going to ask the Vice President to do this.

MR. KENT: I think someone made a reference to Ambassador Pyatt's speech in September. Earlier -- at some point today, he gave a strong, hard-hitting speech against corruption, and it was clear then that we were pushing for Shokin's ouster. And so we had taken a harder line against
Shokin in the wake of the diamond prosecutor affair in mid-2015.

So months prior to Vice President Biden's visit, this was an issue that U.S. officials including our Ambassador and our Assistant Secretary of State were pushing in their meetings with the Ukrainians.

MR. JORDAN: I guess I'm asking, though, was there a decision made between Ms. Nuland, the Ambassador, and you to say, we're going to ask the Vice President to do it on this trip. And if so when was that made?

MR. KENT: Again, I do not -- I could not -- I was not part of -- I would say that on a daily basis Ambassador Pyatt and Assistant Secretary Nuland had conversations, that was conversations that the Ambassador would have on his office with her on a secure phone and I'm sure there were additional email back and forths. But I cannot give you a precise date other than to say that --

I would say that on the record Ambassador Pyatt's speech in Odesa, which I believe was in September of 2015 was a powerful public statement of U.S. concern about the lack of progress. And I believe it may have specifically mentioned both the shortcomings of prosecutor Shokin and reference to our concern that the case against Zlochevsky had been shut down and frozen money was released.

And so I think that speech is a matter of public record
September 2015, Vice President Biden's visit happened October, November, December, 3 months later.

MR. JORDAN: Do you think they told the Vice President the 2 weeks prior to him getting there when you had left do you think that they talked to the Vice President when he got there in country?

MR. KENT: Again, the way a trip would normally be staffed, there would be conversations prior, there would be paper prepared and conversations prior to the trip. And that oftentimes would be someone like Assistant Secretary Nuland going over and participating in a pretrip brief.

MR. JORDAN: When did you learn that the Vice President made this demand on the Ukrainians and specifically the President?

MR. KENT: I think I -- I don't recall -- I mean, he gave a public speech and in the well of the Ukrainian parliament. But this demand would have been delivered in private in his meeting with President Poroshenko.

MR. JORDAN: You never got a readout on how it all went down?

MR. KENT: I was a language student for a period of several months in the U.S. I was aware that he'd made the request. I was also aware that Shokin remained an embattled prosecutor general for several months more until there was a vote held in their parliament to remove him.
MR. MEADOWS: So let me follow up one last time. So who made the decision that Vice President Biden should be the one that communicated this? You know, if you all are having all these discussions for so many months, who made that decision that says, let's wait until the VP goes over to make this request?

MR. KENT: Yeah. Well, there was no waiting, as I mentioned.

MR. MEADOWS: Well 3 months.

MR. KENT: Well that was a -- I gave an example of a publicly available speech that was a statement, a very strong statement on the record of --

MR. MEADOWS: Yeah, but your inference was is that that was the start of it.

MR. KENT: No, I wouldn't say that. It's just that I think that's a public mark where people could see this is the American Ambassador speaking on the record about our concerns about the lack of progress and the rule of law reform in 2015 a year and a half after the Revolution of Dignity. At the same time, there was constant private messaging, messages and meetings that Ambassador Pyatt had in Kyiv, conversations or meetings when Assistant Secretary Nuland would travel, and conversations would happen when Vice President Biden would talk to both President Poroshenko as well as then prime minister Arseny Yatseniuk.
MR. MEADOWS: So before you went away to language
school, you had no recollection that the decision had been
made that the Vice President was going to make this? Is that
your statement?

MR. KENT: No. I would say that -- well, again, we're
now talking about conversations, of which I was not a part,
that happened 4 years ago. I do not think -- my guess, to
the best of my ability, I would anticipate that the issue of
Shokin's status was raised prior to the Vice President's
trip, possibly during a conversation. But I was not on those
calls between the Vice President of the United States and the
President of Ukraine.

MR. MEADOWS: But wouldn't it be a big deal if the Vice
President is going to demand a curtailment of $1 billion?
Wouldn't that have registered with you, since your passion
and --

MR. KENT: Right. Well, as I said, my understanding of
how that decision got to the point of having the Vice
President raise that in the first week of December when he
came to Kyiv started with conversations between Ambassador
Pyatt and Assistant Secretary Nuland and then a
recommendation that Vice President Biden pushed that issue
when he visited.

That's my understanding of how the information, the
idea, the flow pattern occurred and then he made the request
when he came out.

MR. MEADOWS: Okay, Steve.

BY MR. CASTOR:

Q At the time was there any discussion of perceived
conflicts of interest either on the part of the Vice
President or his son?

A You're now talking about a period leading up to his
visit in December 2015.

Q Well, Hunter Biden he was first reported that he
was on the board in mid-2014?

A Correct.

Q And the Vice President's involvement with Ukraine
is pretty significant at that point in time and it remained
until he, you know, through 2016. Correct?

A Yes.

Q And the question was, you know, were there any
discussions of a perceived conflict of interest on the part
of either Hunter Biden or the Vice President?

A When I was -- the first time I was in Ukraine as
acting deputy chief of mission in the period of mid-January
to mid-February 2015, subsequent to me going into the deputy
prosecutor general on February 3rd and demanding who took the
bribe and how much was it to shut the case against Zlochevsky
I became aware that Hunter Biden was on the board. I did not
know that at the time.
And when I was on a call with somebody on the Vice President's staff and I cannot recall who it was, just briefing on what was happening into Ukraine I raised my concerns that I had heard that Hunter Biden was on the board of a company owned by somebody that the U.S. Government had spent money trying to get tens of millions of dollars back and that could create the perception of a conflict of interest.

Q And what did the person on the other end of the line tell you?

A The message that I recall hearing back was that the Vice President's son Beau was dying of cancer and that there was no further bandwidth to deal with family related issues at that time.

Q Was that pretty much the end of it?

A That was the end of that conversation.

Q Okay. That was in mid-2015?

A That would have been in February, because to the best of my recollection Beau Biden died that spring. I then returned to Ukraine in August of 2015 and I believe he passed before then. So the only time that conversation could have happened is in that narrow window between January, February, 2015.

Q And subsequent to that, did you ever think through with other State Department officials about maybe we should
try to get Hunter Biden to leave the board or maybe we should get the Vice President to transition his key responsibilities on Ukraine to some other senior U.S. official?

A No. It's easy in a conference room like this to have a considered discussion about things. In Ukraine at that time, we had a war with Russia occupation, we had an embassy staff going from 150 Americans to 250 Americans, from no Special Force U.S. Government soldiers to close to 70 in country, our assistance went from $130 million to nearly a billion.

And we were working nearly nonstop. Ambassador Pyatt, I can tell you from working for him, would wake up between 4:58 and 5:01, because that was when I got the first email from him, and went to bed between 12:59 and 1:01, because that's when I would get the last email. He had an internal clock. He only slept 4 hours. And it was nonstop, 20 hours a day, 7 days a week.

Q Okay. Gotcha.

You referenced earlier the President's congratulatory note to President Zelenskyy.

A His call.

Q No, the note.

A Yes.

Q It was ripped up?

A That is what I heard from others, yes.
Q Was that the May 29th letter?
A If there's a letter that's signed May 29th that would be the second version that was then signed.
Q Okay. So that's the only letter we're talking about, right?
A Correct.
Q Okay. In the letter they talk about a White House meeting as a prospect.
A I believe so.
Q I can make it an exhibit or I can read it whatever your preference is?
A If I could look at it that would be helpful.
Q Okay. So this will be Exhibit 2.
Do you guys need copies or are you good?
A Very positive letter, yes.

[Minority Exhibit No. 2
Was marked for identification.]

BY MR. CASTOR:
Q Yes. The penultimate paragraph says, to help show that commitment -- the last sentence of the penultimate paragraph says, I'd like to invite you to meet with me at the White House in Washington, D.C. as soon as we can find a mutually convenient time.
A Yes.
Q So this was the spiffed up letter or --
A  This is the letter that I understand that
Ambassador Sondland helped arrange, yes, sir.
Q  I think you'd characterize the new letter as
possibly better than the original?
A  Yes.
Q  What were the difference to the extent you
remember?
A  Just I think stylistically I liked the second
version. I don't know who the drafter of the first version
was and I don't know how many people were involved in
production of the language of the second one. I just thought
the second one read better.
Q  Okay. And do you know why the President was
disappointed with the first version?
A  It wasn't he was disappointed with the version of
letter, he -- based on what the readout I heard from Kurt
Volker and others that he was disappointed with Ukraine.
Q  Okay. And so the new letter was offered the to the
President for his signature somewhat later in time?
A  My understanding, and I think this may have been
the version from Gordon Sondland that while the President was
angry obviously at the point that he point and tore up the
letter. By the end of the meeting he agreed to sign a
revised version and this is the version that he signed.
Q  Okay. And the offer or the invite to come meet at
the White House, is that something that is customarily
offered to an ally without specific the meeting will happen
on this date?

A  Well, as I mentioned before, President Trump and
President-elect Zelenskyy had this discussion on April 21st
when President-elect Zelenskyy had invited President Trump to
come to his inauguration, and he said, well, I will send
somebody there, but I'd like to get you to the White House.

So this was following up on that theme. President Trump
had offered it in concept in April. He put it in writing in
May. But, you know, as anyone who's ever staffing not just
the President but a principal, you can have an agreement in
principle to meet but then schedules are complicated,
particularly when you're dealing with two Presidents of two
countries.

Q  So it is not uncommon for the meetings to be
proposed suggested, discussed and then take a while to put
together?

A  That's a fair statement, yes.

Q  And sometimes the meetings don't actually happen.

A  That would also probably in certain circumstances
also be a fair assessment.

Q  Okay. Because these issued are complicated?

A  Because schedules are busy, yes.

Q  If I heard you correctly you mentioned that in
March Ambassador Sondland contacted President Poroshenko to urge him to back off attacks on Ambassador Yovanovitch was it? Did I hear that right?

A That is probably close to what I said. And it that is what I recall seeing in an email exchange, yes.

Q Okay. So in March Poroshenko is about to lose the election? Right?

A He doesn't realize it but the rest of the country does, yes.

Q Okay. And so in urging him to back off the attacks on Yovanovitch, do you have any idea whether Poroshenko genuinely knew that his apparatus was attacking her?

A When I visited in May I had the prime minister, and three ministers, and a former prime minister tell me that Poroshenko authorized the attacks -- let me be careful. He authorized Lutsenko to share the information with Giuliani that led to the attacks on Ambassador Yovanovitch.

Q Okay. And where did you learn of Sondland's content?

A With Poroshenko in March that I referred to.

Q Okay.

A In an email I believe from the embassy it could have been Ambassador Yovanovitch, it could have been from the DCM at the time, Pam Tremont.

Q Okay. Did Sondland tell you himself?
A  I did not hear it directly from Sondland, no.
Q  Do you have an understanding of like how this conversation was put together?
A  My understanding based on also seeing how Ambassador Sondland has engaged Georgian leaders, because I also have responsibility for Georgia, is that when he meets leaders in Brussels -- or, in the case of the Ukraine, he met President Poroshenko and other leaders in Odesa during the U.S. trip visit, he hands them his business card, he gets their business card, and then starts direct communication via WhatsApp or phone calls.
Q  With world leaders?
A  With world leaders.
Q  Okay. And he did that with President Poroshenko?
A  Yes. To the best of my knowledge, he did that with President Poroshenko as well as the then Georgia prime minister.
Q  I'm going to mark Exhibit 3.
[Minority Exhibit No. 3 was marked for identification.]
BY MR. CASTOR:
Q  This is a letter to Poroshenko from Senators Menendez, Durbin, and Leahy about the Mueller investigation. Does anybody need copies? Do you have enough?
Take as much time as you need to check this out.
Have you ever seen this letter before?
[4:23 p.m.]

MR. KENT: I do not recall, but I can't rule out. The U.S. Congress does not, as a matter of course, copy embassies on its correspondence with other countries, but we oftentimes do receive courtesy copies sometimes through the State Department.

BY MR. CASTOR:

Q Do you know if the State Department has provided us a copy?

A I honestly cannot remember, but I at least recall hearing about a communication which could have been this letter.

Q Okay. And what do you remember about this communication?

A Well, that there were some people expressing interest in whether Ukraine had possibly stopped cooperating. This is not the first time I've heard it, but I honestly could not give you precisely, you know, information. Again, this was not a communication that went through the embassy --

Q Of course.

A -- nor did we go to the prosecutor general to raise the concerns of the three Senators who sent this letter.

Q Okay. Do you know if anyone in the leg affairs --

A At the time, I was working in Kyiv, so I would not necessarily have been aware. My predecessor was Bridget
Brink, who is now serving as our Ambassador in Slovakia. So
she was the Deputy Assistant Secretary at the time, so I'm
not sure if this letter was passed through and was discussed.

Q If the State Department found out about this, do
you think they would dispatch their legislative liaisons to
talk with the Senators or their Senator's staff to --

A Honestly, again, I was in Kyiv at the time, so I do
not have knowledge of any interaction between the Senate's --
three senators, their staff --

Q Fair enough.

A -- and either Hill liaison or the European Bureau.

Q Were you aware of any questions about whether
Lutsenko was failing to cooperate with Special Counsel
Mueller?

A Again, I didn't have any conversations with
Mr. Lutsenko as a general rule. By this point in May
of 2018, our relations with him had soured. And so we didn't
have a complete break in communications, but we did not --
we, the U.S. Embassy, did not meet with him frequently.

Q Do you know if anyone at the State Department had
a -- picked up the phone and called the Justice Department
and said, you know, this Lutsenko fellow is not so great. If
you are getting information from him, you might want to
better understand that he is not well-regarded at this point?

A To be honest, I have no knowledge of that, and I
can't say either yes or no.

Q Okay. I'll ask you one last question, and then our time is about to expire after this round.

There was some discussion about instances where Mayor Giuliani was operating in Ukraine and having meetings. And we know that he has got some clients and other interests. It's fair to say the Ukrainians are aware of his celebrity status, at least some Ukrainians?

A I think some Ukrainians, like many Americans, remember him from the time he was Mayor of New York at the time of the attacks, September 11. Besides I mentioned, in a positive light, former heavyweight boxing champion, Mayor of Kyiv, Klychko. The other individuals that former Mayor Giuliani has chosen to associate in Ukraine have far less positive reputations in Ukraine.

Q Right. But, you know, he was at least somebody that was, you know, considered to be an international, you know, political figure from his time as Mayor of New York.

A Right. Although, again, that would have had less impact in Ukraine, which was focused on its own issues and challenges at the time.

Q Right. But his ability to get meetings is understandable?

A I mean, he had an existing relationship with the mayor of Kyiv, and I think Mayor Klychko would probably see
him at any moment. I would say that is the level of an easy ask. It was well known in Ukraine that his main paying
clients in Ukraine at the time were the mayor of Kharkiv and
a Russian Ukrainian oligarch named Pavlo Fuks.

Q Is this before 2016 -- I'm sorry, before 2018 in
the --

A I believe that Mayor Giuliani's association with
Mayor Kernes and Pavlo Fuks contractually began in 2017.

Q Okay. Thank you.

MR. KENT: And if I could take another break.

THE CHAIRMAN: Let's get a 5-minute break. We still
have a lot of material to get through, and we want to try to
get you out as a reasonable hour. So let's try to come back
as soon as possible after a quick break.

[Recess.]

THE CHAIRMAN: Let's go back on the record.

Secretary, I have just a few questions before I hand it
back to Mr. Goldman. My colleagues asked you a great deal
about the Bidens and Burisma. I want to go back to one of
the origins of the narrative they were getting at. You
mentioned there were four false narratives in the Solomon
article back in April of 2019. Is that right?

MR. KENT: Well, there were four narratives that were
introduced, led off by the Solomon articles. But I'm not
sure that all four were introduced by Solomon. The first two
were definitely part one, part two, but there were a number
of different platforms in play that week.

THE CHAIRMAN: And part one, was that Lutsenko's claim
that Biden pressured Poroshenko to fire Shokin because of the
prosecutor general's office investigation of Burisma?

MR. KENT: No. I believe that the first day the two
themes that were introduced were the anticorruption theme,
and that was targeting the embassy, including the letter that
I had signed in April 2016, and NABU, as in an organization,
and then the 2016 conversation. The discussions of the
Bidens and Burisma was the third narrative theme that was
introduced a day or two later.

THE CHAIRMAN: So that was the third false narrative you
referred to?

MR. KENT: Right.

THE CHAIRMAN: And, in fact, that false narrative that
the Vice President had pressured the firing of Shokin over
Burisma, Lutsenko himself would later recant. Did he not?

MR. KENT: Mr. Lutsenko has held many positions on many
issues that are mutually exclusive, and including on this
issue.

THE CHAIRMAN: Well, in mid-May of 2019, Mr. Lutsenko,
were you aware, did an interview with Bloomberg in which he
said he had no evidence of wrongdoing by Biden or his son.
Are you familiar with that interview?
MR. KENT: I am more familiar with the interview that he gave to The L.A. Times, in which he said that the activities related primarily to Zlochevsky's actions as minister, which occurred several years before Hunter Biden came on to the board. So his interviews this year, subsequent to leaving office, are more in accord with the facts as I understood them at the time, than his assertions as prosecutor general.

THE CHAIRMAN: So let me ask you a little bit more again about this false narrative since recanted. Just to be absolutely clear about this, when the Vice President was asked to make the case, or help make the case for Shokin's firing, this was the policy of the State Department, and the State Department was asking the Vice President to assist with the execution of that policy?

MR. KENT: That would be a correct assessment, yes.

THE CHAIRMAN: And it was the policy of other international organizations as well that recognized that Shokin was corrupt?

MR. KENT: Correct. He was not allowing for reform of the prosecutor general service, and in contrast, he actually was actively undermining reform of the prosecutor general service and our assistance.

THE CHAIRMAN: And this involved, as you said, an effort to undermine the very inspector general office that the State Department had assiduously worked to help the Ukrainians
establish to root out corruption within the prosecutor force?

MR. KENT: Correct.

THE CHAIRMAN: Mr. Goldman.

BY MR. GOLDMAN:

Q Thank you, Mr. Chairman.

Picking up off of that June 28 conference call that you referenced, following that, you said that you were in Toronto for a meeting where President Zelenskyy also was present?

A Correct. This was the Ukraine Reform Conference. It essentially is the primary friends, donors of Ukraine. This was the third edition. The first one was held, I believe, in Denmark; second in London; and the third was hosted in Canada by the Canadian Government. And Kurt Volker and I were the ranking U.S. officials who attended for the U.S.

Q And who was there from Ukraine?

A President Zelenskyy himself.

Q And any of his senior aides?

A Many of his senior aides. In the meeting that we had on July 2, to the best of my recollection, those included his chief of staff, Andriy Bohdan, who is a very controversial figure; it included his two closest personal assistants, a person named Shefir, and another one named Yermak; it included a professional in the presidential apparatus, Igor Zhovkva; their ambassador to Canada, Andriy
Shevchenko, and an interpreter.

Q And what was discussed at that meeting?
A The whole range of U.S.-Ukraine relations, because of special representative for Ukraine negotiation Volker's focus on the Donbas conflict. That was one segment of the conversation.

When we got to more general bilateral relations, that was the first time, I mentioned earlier, that I heard directly from Kurt his assertion that Perry, Sondland, and Volker were now in charge of Ukraine policy. He made that assertion to President Zelenskyy.

Coming out of the meeting with the President, he explained how the meeting had gone on May 23 in the Oval Office, that the three officers were the ones leading the charge, and that -- he said that we're working on a phone call with the President.

And Zelenskyy cut him off at that point and said, just a phone call? How about the visit? And Volker said, first a phone call, which this is a conversation happening on July 2. He said, We'll aim for that perhaps next week, and hopefully that will lead into a meeting by the end of the month, July 29 and 30, which was roughly, I think, the dates that were discussed in the June 18 meeting that Secretary Perry chaired.

Q Was there any discussion in that meeting in Toronto
on July 2 about the investigations that Rudy Giuliani had been promoting?

A There was not a discussion in the full format of everyone on both sides of the table. However, prior to the meeting, Ambassador Volker told me that he would need to have a private meeting separately with the President, that he would pull him aside. And he explained to me that the purpose of that private conversation was to underscore the importance of the messaging that Zelenskyy needed to provide to President Trump about his willingness to be cooperative.

And that happened -- as the meeting broke up, he announced that he needed to have a private meeting. He went around to the Ukrainian side of the table and pulled Zelenskyy, his chief of staff, Bohdan, and the translator. I was standing about 10 feet of the way, introducing myself to Andriy Yermak and talking to him. So that was -- Volker had several minutes with Zelenskyy, his chief of staff and the interpreter.

Q You said the messaging about the willing -- or cooperation.

A Yeah.

Q Cooperation about what?

A The details at that point were not clear to me. I would say that Kurt Volker had not provided additional details. It was more that President Zelenskyy needed to be
signaling something in his cooperative attitude towards something the President was interested in.

Q And at that point you did not know what the President was interested in?

A At that point, Kurt Volker did not say, nor was I aware of what the President was interested. Rudy Giuliani was tweeting what Rudy Giuliani thought, but Rudy Giuliani was and is -- remains a private citizen, not an official of the U.S. Government.

Q Right. Did you understand why Kurt Volker needed to have this in a private pull-aside -- have this conversation in a private pull-aside meeting rather than with everyone there?

A Well, it was clear that he both wanted to restrict knowledge of it, and considered the matter sensitive. But, again, I had not been on the June 28 conference call. I heard about that subsequently from Charge Taylor.

And I had also not been involved in any of the conversations that had gone on. I wasn't there at the June 18 nor the May 23. So sometimes I can get readouts officially of meetings, but if you're not there, you miss the sidebar conversations that can take place.

Q So it's your testimony that you did not -- you were not aware at that point of what the sensitive issue that Kurt Volker needed to talk about related to President Zelenskyy's
cooperation with President Trump?

A  What I was aware of was that there was an interest, and Kurt was sending a signal of a desire to have Zelenskyy be cooperative, but I did not know the details of what the ask was on that date, July 2.

Q  Okay. Did Kurt Volker explain to you what he discussed with President Zelenskyy in that pull-aside afterwards?

A  No. But he explained -- he was, I would say, relatively transparent beforehand. This is what I'm going to do, and this is my message and this is why.

Q  And how did you -- what did he say the why was?

A  Well, I think his goal, to my understanding, based on my conversations with him, he was trying to get through what seemed to be a hiccup in the communications, and wanted to get President Trump and President Zelenskyy together, counting on Zelenskyy's personal interactive skills to build rapport and carry the relationship forward.

Q  Okay. But that's the why he was doing it?

A  That was my understanding, based on what I heard from Kurt prior to the meeting, yes.

Q  And what did he tell you after about the meeting?

A  It was, you know -- it was a several-minute exchange, and so I just presumed that he had said and raised the ask in the way that he had described to me right before
Q And what was your reaction to the ask as you understood it from Volker at the time?

A At the time, I was interested to see where this thought pattern would go. I do not recall whether the follow-on conversation I had with Kurt about this was in Toronto, or whether it was subsequently at the State Department. But he did tell me that he planned to start reaching out to the former Mayor of New York, Rudy Giuliani.

And when I asked him why, he said that it was clear that the former mayor had influence on the President in terms of the way the President thought of Ukraine. And I think by that moment in time, that was self-evident to anyone who was working on the issues, and therefore, it made sense to try to engage the mayor.

When I raised with Kurt, I said, about what? Because former Mayor Giuliani has a track record of, you know, asking for a visa for a corrupt former prosecutor. He attacked Masha, and he's tweeting that the new President needs to investigate Biden and the 2016 campaign.

And Kurt's reaction, or response to me at that was, well, if there's nothing there, what does it matter? And if there is something there, it should be investigated. My response to him was asking another country to investigate a prosecution for political reasons undermines our advocacy of
the rule of law. And that was the nature of the exchange, at some point in July, either at Toronto or perhaps, more likely, mid-July in the State Department.

Q Now, Ambassador Volker is a longtime, you know, Foreign Service officer, right?

A He is.

Q What was his reaction when you said that this would undermine the rule of law and everything that we stand for?

A I do not recall him giving a verbal response.

Q Okay. And so presumably you and Kurt Volker were in Toronto for some time, right?

A We arrived, to the best of my recollection, on the 1st and departed late afternoon of the 3rd. We did not travel together.

Q Did you spend any time together there?

A We were in many meetings together, yes.

Q Did you spend any meals together?

A I do not recall us having working meals together, but it was a hectic trip and generally, his -- or hectic, not trip, but set of meetings. There were a lot of Ukrainians there, and I had a lot of sidebar meetings with attendees at the conference.

Q So --

A I should also say that there was a -- because Kurt was head of delegation, the Canadian foreign minister hosted
a dinner for heads of delegation to which Kurt was invited. I was not because there was just one U.S. attendee. So, for instance, whatever the anchor night was, he went to the leaders meeting, and I met with other Ukrainians who were there.

Q Are you familiar with a July 10 meeting at the White House involving senior Ukrainian officials and senior American officials?

A I saw pictures tweeted outside after the meeting. At the time I was on a multi-country swing that included, among other countries, Moldova and Ukraine.

Q So you were unaware -- prior to the meeting occurring, you were unaware that it was happening?

A I knew that there was going to be a meeting. The principals for that meeting were Ambassador Bolton and Oleksandr Danylyuk, who'd been appointed the head of the National Security and Defense Council in Ukraine, which doesn't have an analogous role to our National Security Council but has a name that sounds similar. And Oleksandr Danylyuk is a Ukrainian official well-known to many of us who have worked on Ukraine.

Q Now, just to be clear, the conversation that you had with Kurt Volker, even if you aren't sure that it was in Toronto, it occurred before your European swing?

A I can't tell you for certain when in July it was.
I have since been made aware by seeing the WhatsApp messages that Kurt released that he said he had breakfast with Giuliani on July 16th, so it would make sense that my conversation with Kurt happened before then -- July 19th -- because he was telling me that he would reach out to Mayor Giuliani.

Q Did you discourage him from reaching out to Mayor Giuliani?

A I asked him what his purpose was, and that's when he said, as I relayed earlier, that because, clearly, former Mayor Giuliani was an influence on the President's thinking of Ukraine that he, Kurt Volker, felt it was worthwhile engaging --

Q Right. I know. But did you think it was worthwhile engaging?

A What I understood was Kurt was thinking tactically and I was concerned strategically.

Q Did you have any discussions with anyone else at the State Department by mid-July, any time up to mid-July or prior to, about Mr. Giuliani's potential influence on the President and the fact that what he was advocating may be contrary to official U.S. policy?

A I did not, in part because after Giuliani attacked me, as well as Ambassador Yovanovitch and the entire embassy, in his late May interview, I was told to keep my head down
and lower my profile in Ukraine.

Q Who told you that?

A The message was relayed from my supervisor, Acting Assistant Secretary Reeker message relayed from Under Secretary Hale.

Q Do you know if it became from above Under Secretary Hale?

A All I know is that Assistant Secretary Reeker, after a meeting with Under Secretary Hale said that Under Secretary Hale had directed me to keep my head down and a lower profile in Ukraine.

Q And what did you understand a lower profile in Ukraine to mean, given that you oversaw the policy for the State Department on Ukraine?

A Well, I oversee policy for six countries, and this was a day or two before I was going on leave to go visit -- attend my daughter's [BLANK] and go hiking in Maine. And so I said, Fine, you're not going to hear me talk about any country for the next week and a half. And I did cancel some public appearances on Ukraine in June, sort of think tank sessions around Washington.

Q And at that point, did you sense that you were cut out of the loop in terms of State Department policy discussions and dealings with Ukraine given this Volker, Sondland, Perry triumvirate?
A I wouldn't say that I was cut out of the loop. As
I indicated, Kurt and I continued to have a back and forth.
I was aware that obviously other players had come into the
picture. And you had Secretary Perry convening a meeting
with a number of State Department officials.

You had Gordon Sondland giving a public interview that
the three amigos were now in charge of Ukraine, and by that
he meant Perry, Sondland, and Volker. I heard Volker say
that to President Zelenskyy in Toronto, but I was in that
meeting.

Q Volker called them the three amigos to Zelenskyy?
A No. Sondland, in a public interview, called
themselves three amigos. Volker just stated that coming out
of the meeting with President Trump at the Oval Office, that
those were the three officials that would be taking the lead
on our policy towards Ukraine.

Q Were you speaking regularly with Bill Taylor in
June and July?
A Yes. There's a schedule of -- every Monday there
is a generally scheduled secure video conference. It's not
just one-on-one. Usually it's with office director, deputy
director from my side, and members of the country team on his
side. That was the schedule that dated back --

Q Well, let me rephrase the question. Did you speak
to Charge Taylor about the three amigos, or Rudy Giuliani or
any activities with regard to the advocacy for these
investigations?

A  We are, in your exploration of a timeline, not yet
to the point where that became apparent to me that this is
where U.S. policy -- or not U.S. policy, where U.S.
engagement was headed.

Q  Okay. And we'll probably get there, but when would
you say that time is?

A  Well, I think in retrospect, from the release of
the WhatsApp messages, it started earlier than I was aware.

Q  When were you ultimately aware?

A  I would say that the middle of August, specifically
August 15 and 16, was when I became aware that this was
actively in play.

Q  Okay. So did you get -- we're going to get there,
but did you get a readout from that July 10 meeting from
anybody?

A  I do not recall. I was on the road for -- because
it was a multi-country trip. I was on the road for more than
a week. I saw the picture that was tweeted out, maybe from
Kurt Volker, maybe from Gordon Sondland, that had the two
Ukrainians, which were Oleksandr Danylyuk and Andriy Yermak,
close assistant and associate to President Zelenskyy, as well
as the Americans.

Q  Do you recall when Fiona Hill left the National
Security Council?

A She was scheduled to leave at the end of July. I don't recall which particular day of which particular week.

Q Did you have a meeting or a conversation with her before she left?

A Yes, I did.

Q And did you discuss any of these issues that we've been talking about today with her?

A Yes, but to be honest, I don't recall the last time we had a conversation, and when we had the conversation would be important to what we talked about. A conversation that I recall, and I took notes actually dated to mid-May in which we talked about the change of attitude and approach towards Ukraine, and that was in the wake of meetings that President Trump had, a meeting with Viktor Orban, the leader of Hungary, as well as a call he had with Russian President Putin in early May.

Q And what was the change following those two conversations with Orban and Putin?

A Fiona assessed the conversations as being similar in tone and approach. And both leaders, both Putin and Orban, extensively talked Ukraine down, said it was corrupt, said Zelenskyy was in the thrall of oligarchs, specifically mentioning this one oligarch Kolomoisky, negatively shaping a picture of Ukraine, and even President Zelenskyy personally.
Q And did Dr. Hill think that that had an impact on President Trump's outlook?
A I cannot recall what she said in that meeting besides giving me the brief readouts of those two meetings, but that was my takeaway, and that those two world leaders, along with former Mayor Giuliani, their communications with President Trump shaped the President's view of Ukraine and Zelenskyy, and would account for the change from a very positive first call on April 21 to his negative assessment of Ukraine when he had the meeting in the Oval Office on May 23.

Q And it was your understanding that Sondland, Perry, Volker, when they came back from the inauguration they were very positive about President Zelenskyy. Is that right?
A That is correct.

Q And that generally the State Department had a positive outlook on President Zelenskyy?
A We were cautiously optimistic that this was an opportunity to push forward the reform that Ukraine needs to succeed in resisting Russian aggression, building a successful economy, and, frankly, a justice system that will treat American investors and Ukrainian citizens equally before the law.

Q But the message from Orban, Putin, and Giuliani was different than the message that the State Department was relaying. Is that right?
A: It was different than the State Department assessment, and it was different than the assessment of Secretary Perry, Sondland, and Volker.

Q: Okay. But the President was listening to the Giuliani, Orban, Putin contingent --

A: I don't know.

Q: -- according to Dr. Hill?

A: According to Dr. Hill, in assessing the change from late April to late May, but then we had also the instructions coming out of that meeting leading to the signing of the letter on May 29 and the efforts to help Ukraine particularly in the energy sector.

Q: Dr. Hill told us that she departed on July 19, and that prior to leaving, she had a conversation with you.

A: That -- again, I recall us speaking sometime in July. I honestly don't recall the content of that. One reason why I recall more specifics from May is that as I was looking through my notes to find records to provide to the State Department to be responsive to the subpoena, I found notes that I took when I talked to her in May. When I was going through my notes I did not find notes of our conversation in July. But, yes, I do recall that we talked in July.

Q: And did you provide the notes from that May call to the Department --
A: Yes.

Q: -- for production to Congress and pursuant to the subpoena?

A: Yes.

Q: Okay. So let me just make sure I understand. You heard from Ambassador Taylor at the end of June that there was -- correct me if this summary is wrong -- that at the end of June, that there was a conversation with Taylor, Ambassador Sondland, Volker, and Secretary Perry where they discussed the need for President Zelenskyy to initiate some -- I think you said investigations was the readout you got in that call?

A: Well, sending the right signal without the details of the --

Q: Without the details. And then Ambassador Volker reaffirmed that to you directly before the meeting with President Zelenskyy in Toronto?

A: Correct.

Q: Okay. Up until the July 25 call, from July 2 to July 25, did you have any more discussions with anyone about the notion of Ukraine pursuing these investigations either specifically or more generally in terms of cooperation?

A: I do not recall any additional conversations that I had in July. But I can't rule it out. Again, I had a conversation with Fiona, I remember that, a sort of farewell
call or a meeting, discussion. But, again, I don't remember
the content, and also, keep in mind that we had
responsibilities -- I only had responsibilities for six
countries. She had responsibilities for many more.

Q Right. Okay. So you don't remember if she voiced
any concerns about what was going on with Rudy Giuliani or
anything related to that?

A I honestly can't remember the content of that
conversation apart from I know that she had some concerns
about nonstandard actors. I believe, in that conversation,
she expressed concern with Gordon Sondland's approach.

Q What concerns did she express with Gordon Sondland?

A To the best of my recollection, she had concerns
possibly based on having been in conversations in the Oval
Office that he made assertions about conversations that did
not match with what had actually been said in the Oval
Office.

Q Can you elaborate with any more detail?

A I was not in those conversations, so --

Q I'm just asking what she told you. I understand
you weren't in them.

A I think she may have been as direct as saying that
Gordon Sondland lies about conversations that occur in the
Oval Office.

Q Did she indicate to you that Gordon Sondland had
any conversations with the Chief of Staff Mulvaney on this topic?

A As I mentioned before, it was clear to me that Ambassador Sondland had a direct connection with Chief of Staff Mulvaney, and that's actually how the May 23 readout was put on the President's schedule. It was not, to the best of my knowledge, done through the national security staff and Ambassador Bolton. It was done Ambassador Sondland directly to Chief of Staff Mulvaney.

Q Right. But I'm asking now in July. When Dr. Hill talked to you and voiced concerns about Sondland, did she mention anything about Sondland's relationship with Mr. Mulvaney?

A She may have, but I do not remember.

Q Okay. Do you recall anything else that she said about Ambassador Sondland in that meeting -- was it a meeting or a phone call?

A It was a conversation, but I will say that it was also not entirely about work. We have a mutual friend whose wife died of cancer, and he is a Foreign Service officer and studied in St. Andrews with Fiona, and that's where he met his wife. And so she had passed away. So part of the conversation was just about our mutual friend who died.

Q And the part that was about Ukraine, was there anything more that --
That's as much as I recall. But, again, as I said, it was a conversation that had a personal component that had nothing to do with work, and then part of the conversation had to do with work.

So when did you become aware that President Trump and President Zelenskyy were going to speak on July 25?

I believe I was informed by Lieutenant Colonel Vindman on July 24, the day prior. And as I mentioned before, that's when I sent a message to the embassy suggesting that they test the line to make sure the call went through.

And I believe you said the only readout you got from the call was from Lieutenant Colonel Vindman?

Correct.

When you described that readout in addition to emphasizing how Mr. Vindman was uncomfortable and the sensitive nature of the call, so he wasn't comfortable talking about it, you did say, I wrote down here, that he mentioned that there was a -- that President Trump had discussed the extreme narratives that had been discussed publicly. Is that --

At that point, I don't think he said that President Trump discussed. What I recall is that he said at this point the conversation went into the most extreme narratives. And that was him making a summary without providing any detail.
Q Understood. But given everything that you knew, and you certainly have indicated today that you were aware of the public narratives --

A Yeah.

Q -- what did you understand him to mean?

A I had presumed at the time, and I may have put in my notes just in parentheses, Giuliani, and that was the way I interpreted what he said. But, again, he was very uncomfortable having the conversation. He initiated the conversation, but it was very clear he was uncomfortable sharing this limited summary, including not going into the detail of the call itself.

Q Did you come to learn whether or not Ambassador Volker -- in real time, at the time, did you come to learn that Ambassador Volker did meet with Mr. Giuliani?

A Kurt told me he was going to meet, and so, I had every reason to believe that he then followed up on what he said he was going to do. But he did not share with me the exact contents of his discussions with the Mayor, no.

Q Did you know at any point whether Ambassador Volker had introduced Andriy Yermak to Mr. Giuliani?

A I believe I became aware of that in mid-August.

Q So you said that earlier, a few minutes ago, you said that August 15, 16 time period was when you seemed to confirm that -- well, I don't want to put words in your
mouth, but there was a significance to August 15 and 16. What was the significance to those dates in your mind?

A On August 15, the new special assistant to Special Representative Volker, Catherine Croft, came to my office and asked me, said she was trying to find out some information on behalf of Kurt. And she said, you, George, know about our relations with Ukraine, particularly in law enforcement. Have we ever asked the Ukrainians to investigate anybody?

And I told her, I said, well, Catherine, there are two ways of looking at that question. If there is a crime that was committed in the United States and any nexus for us to take action, we have two mechanisms: We have the Mutual Legal Assistance Treaty, and we have the legal attaches at the embassy, and that's the way a law enforcement investigation should engage the Ukrainians.

The other option, which I -- from the context of what has been spoken about in the press, maybe what you're asking is the political option. And if you're asking me have we ever gone to the Ukrainians and asked them to investigate or prosecute individuals for political reasons, the answer is, I hope we haven't, and we shouldn't because that goes against everything that we are trying to promote in post Soviet states for the last 28 years, which is the promotion of the rule of law.

And I also then told her, I said, Kurt has a lot of
ideas. Some of them are great; some of them are not so good. And part of the role of the special assistant as well as people like me is to ensure that the ideas stay within the bounds of U.S. policy.

Q And what was her response?
A She took that onboard.
Q But why was that conversation important to you to crystalize what was going on?
A Well, because there had been a lot of talk, you know. Frankly, what a private citizen tweets is an exercise in one way of First Amendment rights, but when you have U.S. Government employees, or in this case, a special U.S. Government employee potentially seemingly to align to that view, that's when it became real for me and a matter of concern.

And that was, as I said, I said the 15th and 16th, because the next day, I had a conversation with Charge Taylor in which he amplified the same theme. And he indicated that Special Representative Volker had been engaging Andriy Yermak; that the President and his private attorney, Rudy Giuliani, were interested in the initiation of investigations; and that Yermak was very uncomfortable when this was raised with him, and suggested that if that were the case, if that were really the position of the United States, it should be done officially and put in writing, essentially
what I described to Catherine the day before, which is the Mutual Legal Assistance Treaty option. And I told Bill Taylor, that's wrong, and we shouldn't be doing that as a matter of U.S. policy.

Q. What did he say?

A. He said he agreed with me.

Q. Now, had you had any conversations with Ambassador Taylor after July 25 and prior to August 16 about this issue?

A. Not that I can recall.

Q. Had you had any conversations with -- well --

A. About this issue, I mean, we had a --

Q. Yes.

A. -- regularly scheduled weekly teleconference that involved teams, and if there were anything sensitive, we could finish up in a one-to-one. We also had a relationship that if there were needs, just like with any ambassador, they could call me up, you know, for an unscheduled conversation.

Q. And that never occurred in that 3-week span?

A. I do not recall us having a conversation specifically, you know, if you will, out of the regular schedule until Friday, August 16. And I say it's a Friday, because I was scheduled to get on a plane, leave my house at about 6:00 a.m. to go to the airport, fly out to California to go hiking in Yosemite with my family. So I had a very time-bound limit.
And so after having had these two conversations, I wrote a note to the file saying that I had concerns that there was an effort to initiate politically motivated prosecutions that were injurious to the rule of law, both in Ukraine and the U.S.

I informed the senior official still present and the European Bureau at 7:30 on a Friday night in the middle of the summer, which was Michael Murphy, and informed him of my intent to write a note to the file, which he agreed was the right thing to do.

Q  And when you say politically motivated investigations, are you referring to investigations that were also referenced in that July 25 call record?

A  At the time, I had no knowledge of the specifics of the call record, but based on Bill Taylor's account of the engagements with Andriy Yermak that were the engagements of Yermak with Kurt Volker, at that point it was clear that the investigations that were being suggested were the ones that Rudy Giuliani had been tweeting about, meaning Biden, Burisma, and 2016.

Q  And I understand you didn't know the contents of the call record, but now being able to read the call record as you have, you are referring to the Biden investigation that the President mentioned, as well as the CrowdStrike 2016 investigation. Is that right?
Those align with the Rudy Giuliani tweet. I think it was June 21, as well as some of the other story lines from earlier in the spring before President Zelenskyy was elected. Right. I just want to be clear that when you say politically motivated investigation -- That is what I'm referring to, yeah. -- that's what you're referring to. Okay. Were you aware of efforts to convince the Ukrainian Government to issue a statement a couple days before the August 15 time period? I was not aware of the effort to negotiate the text of the statement that came out as a result of Ambassador Volker's testimony here, and the tweets that he released, no, not until I had read those. So you were completely unaware of those discussions related to a possible statement about investigations? Correct. Now, at that point, on August 15, when you look back on the previous 2 months, let's say, the readout from the June 28 call that you got from Ambassador Taylor, the conversation that you had with Ambassador Volker in Toronto, did you have a different view on what this White House visit and the interplay between a potential White House visit and these investigations?

As I mentioned before, arranging visits between
Presidents is never easy. President Poroshenko spent several years also trying to get a visit to the White House, and that was more happenstance, the visit he made in June 2017. So I have an appreciation that just because a leader of a country wants to visit Washington and have an Oval Office visit doesn't mean it that happens.

So I would say there was one track of trying to get a visit. There was another track of what we were engaging Ukraine formally through normal channels. And then this particular moment was the time where not just what I read on tweets by private citizens, but a greater understanding of actions taken by U.S. officials, in this case, Ambassador Volker, that my concerns grew.

Q And just so we can understand, you sort of described just there kind of two parallel tracks of official U.S. policy. Is that an accurate assessment?

A I think official U.S. policy are policies that are determined and endorsed. And in this administration there's the National Security Presidential Memorandum 4 that was issued in April of 2017, and that actually is what determines the formal policy process for formulating U.S. policy on any issue or country.

And what we're talking about now are issues and approaches that were not discussed in the interagency process as staffed by the NSC and the person of either Lieutenant
Colonel Vindman or his boss, which was Fiona Hill and then now has become Tim Morrison.

Q Right. And I thank you for that clarification. So official U.S. policy remain the same, but there's sort of a secondary or shadow policy that was now being perpetrated by U.S. officials? Was that what you learned?

A I had growing concerns that individuals were pushing communications with Ukrainians that had not been discussed and endorsed in the formal policy process, yes.

Q Now, it sounds like you went on vacation right after you wrote this memo to file, which, just as an aside, I assume you also provided to the State Department --

A I did.

Q -- to turn over.

Did you have any subsequent conversations with anyone about this revelation that you had?

A Well, I believe -- I went away. I came back after Labor Day. The next communication or data point that I can recall was a WhatsApp message that Charge Taylor sent me on September 7, which would have been, I think, the Saturday after Labor Day.

Q And what did that WhatsApp message say?

A Charge Taylor indicated that he had talked to Tim Morrison, who is the senior director for Europe, who replaced Fiona Hill. And Tim indicated that he had talked to Gordon.
And Gordon had told him, Tim, and Tim told Bill Taylor, that
he, Gordon, had talked to the President, POTUS in sort of
shorthand, and POTUS wanted nothing less than President
Zelenskyy to go to microphone and say investigations, Biden,
and Clinton.

Q And in return for what?
A That was not clear to me. I wasn't part of this
exchange. But Bill Taylor then followed up with a video
conference, our normal Monday call in which he elaborated on
his conversations with both senior director Morrison on the
7th as well as with Ambassador Sondland on the 8th.

Q And what did he say?
A He said that Morrison indicated that Rudy Giuliani
had recently talked to the President again, and he said, as
you can imagine, that creates difficulties managing the
Ukraine account.

On his conversation with Ambassador Sondland on the 8th,
I believe they went into more detail about Ambassador
Sondland's efforts to try to facilitate a proper approach, in
his view, to open up the possibility of a visit to the
White House.

Q So can you explain a little bit?
A Well, this was taking place -- this conversation
was taking place with Ambassador Taylor and I on the 9th of
September. The biggest annual conference on Ukraine in
Ukraine is known as the YES Conference. That used to stand for Yalta European Strategy back when Crimea and Yalta were under Ukrainian control.

And it was going to happen, start in a couple of days. I flew out to Ukraine to take part in that conference as did Ambassador Volker. And Charge Taylor indicated that Ambassador Sondland was pushing a line that included having President Zelenskyy give an interview potentially with CNN during the YES Conference that weekend in which he would send this public signal of announcing a willingness to pursue investigations.

Q And did Ambassador Sondland discuss a White House visit in the context of that statement?

A I think the anticipation or the hope was that sending that signal would clear the way for both the White House visit as well as the resumption or the clearing of the administrative hold on security assistance, which had been placed by OMB. Although, Charge Taylor asserted to me that both Tim Morrison and Gordon Sondland specifically said that they did not believe that the two issues were linked.

Q What was Ambassador Taylor's reaction to this whole conversation?

A He told me he indicated to Gordon, he said, This is wrong. That's what I recall him saying to me, again, orally reading out of a conversation of which I was not a part.
Q But he thought that it may have -- that the aid may be contingent on this?

A I have subsequently seen his tweets, which -- or not his tweets, the WhatsApp messages that Kurt Volker issued. And so it appears to me, having seen those WhatsApp messages, that he was sharing his concerns with Ambassador Sondland and Ambassador Volker.

MR. GOLDMAN: Okay. I think our time is up. So we will yield to the minority.

BY MR. CASTOR:

Q When Volker was communicating to you about various investigations that would occur in the Ukraine, whether it relates to Burisma 2016, is it possible -- the way I understood his -- you know, we spoke to Volker.

A Right.

Q He was in here. The way I understood his -- the way he communicated it was that if there were Ukrainians engaged in misdeeds, corruption, then, you know -- and it could relate to Burisma, it could relate to bringing Hunter Biden on the board, it could relate to Ukrainians doing nefarious things in the run-up to the 2016 election, then the Ukrainians ought to investigate fellow Ukrainians.

A So you're saying that's what Ambassador Volker said to you and the committee?

Q That was my understanding of what he said. Is that
inconsistent with your understanding?

A Well, I think I can only share the conversation I had with Kurt, and the conversation was framed differently.

Q Okay.

A But, again, I wasn't here. I haven't seen the transcript of what he said to you. So I can only share my recollection of my conversations with him.

Q Sure. And did he communicate that differently, or did you just maybe understand it differently, or is there a possible disconnect there, or are these two different things?

A I think that there are two people who -- we're talking at this point about a conversation that took place 3 months ago, that neither of us were taking notes. We were standing up. And so, I would say that, you know, he has shared his recollection of the conversation, and I shared mine.

Q Okay. But your recollection was that they were pushing for political investigations that had no merit?

A When he said that he was going to engage Rudy Giuliani about Ukraine, because Rudy Giuliani was clearly influencing the President's views of Ukraine, I reminded him what Rudy Giuliani was doing in Ukraine and about Ukraine, about which I had concerns.

That's why I say that I think Kurt was approaching -- in my understanding, he was approaching this issue tactically.
We both wanted the best for Ukraine. We both wanted the best for U.S.-Ukraine relations. He saw Rudy Giuliani as an issue to be addressed, and potentially an ally to be incorporated to get the U.S. President to where we wanted our relationship to be, which is having a meeting.

My concern could be summed up by the means don't necessarily justify -- you know, the ends don't necessarily justify the means, that if we're trying to put trade space on the table of an investigation, that can violate a principle that undermines what we're trying to do on a matter of policy.

Q My understanding of what -- how he looked at Rudy was that he thought Mr. Giuliani was amplifying a negative narrative, meaning a false narrative, meaning that whatever Rudy Giuliani was communicating, you know, about to the President was something that needed to be fixed. And since the President and Rudy Giuliani had communications on a somewhat regular basis, he thought that it was a relationship he had to try to work on if he could.

A Yeah. That is my understanding of his rationale for engaging the former mayor of New York.

Q Okay. And by no means was he adopting the narrative that Rudy Giuliani was proselytizing?

A I don't know what Kurt's view was about the narrative. What I know is that by September, Kurt was
actively promoting the request for Ukraine to open these investigations.

Q  Okay. And it would be inconsistent with your understanding if these investigations were for Ukrainians to open matters into misdeeds by Ukrainian -- genuine misdeeds by Ukrainians, whether it relates to Burisma or 2016?

A  We obviously want Ukraine to have effective law enforcement and justice sector institutions. That's in order to be able to investigate, prosecute, and judge any criminal acts. Again, as I said, I think the issue for what we ask them to do in certain cases should start from whether there's a criminal nexus in the U.S. because that's our role as the U.S. Government, not to dictate that you should investigate this person because it's in our political interest.

Q  Okay. You've mentioned WhatsApp a few times. That's a completely standard messaging application to use for State Department officials, correct, as long as everything is saved first?

A  In certain countries it's almost required for business. And I'll give you the example of how I ended up first using WhatsApp. When Ambassador Yovanovitch had her first meeting with the then new prime minister of Ukraine, Volodymyr Hroysman, who is 41 years old, and she arrived in August, so I'm presuming it was late August or early September, he asked if she were on WhatsApp and Viber. And
she said, why? And he says, that's how I communicate. So if you want to communicate with me, the prime minister of Ukraine, you need to go back to the embassy and have them download those apps.

So she came back to the embassy. We checked with our communications and Diplomatic Security specialists. The assessment was that Viber was not as secure as WhatsApp, and that we were authorized to use WhatsApp for communications as long as records were saved.

Q Okay. So the use of WhatsApp by U.S. official, State Department official, White House official, presents no problems as long as everything is saved?

A I didn't say that, but at least we're in --

Q Like, what kind of problems would it present as long as everything is saved?

A Well, I think there always is a challenge with the integrity of data. And, for instance, Minister Avakov of Ukraine, who I've referenced several times, minister of interior, told me and another member of the staff, in 2018, that there were now ways, thanks to Israeli code writers, of cracking the alleged encryption of text messages on WhatsApp. So for people who thought they were encrypted and therefore safe, at least the text messages, the texts as opposed to the voice could be accessed by people.

Q Okay. Moments ago you referenced the name Clinton?
A What I said --
Q Could you just go through that again?
A Right.
Q I haven't heard that name lately.
A That was a message -- that was described in the shorthand of the desire to have -- this was the Gordon Sondland messaging of what the Ukrainians need to say in shorthand 2016. And in shorthand, it was suggested that the Ukrainians needed -- Zelenskyy needed to go to a microphone and basically there needed to be three words in the message, and that was the shorthand.
Q Clinton was shorthand for 2016?
A 2016, yes.
Q Okay. Are you aware of the narrative that there were some Ukrainians that tried to influence the outcome of the election?
A I recall reading a Politico article to that effect in the spring of 2017, yeah.

[Minority Exhibit No. 4
Was marked for identification.]

BY MR. CASTOR:
Q Okay. I'm going to mark as exhibit -- what are we up to, 4? These guys love this article. This is a Politico article by Ken Vogel dated January 2017. It's, like, 18 pages. It goes into some depth. I'm just going to point you
to some things just and ask you whether you have any
awareness or ever remember this issue coming up. I'm not
going to ask you to, you know, adopt the article as, you
know, personal endorsement or anything.

Were you aware that a Ukrainian American named [redacted]
was, you know, a consultant for the Democratic
National Committee and had made some overtures to the
Ukrainian Embassy?

A I was not aware of that. I did at the time read
this article nearly 3 years ago now. But, yes, I read this
article.
[5:37 p.m.]

BY MR. CASTOR:

Q   And when you read this article, did you do any
followup, communicate with anybody at the State Department
about the validity of this?

A   I was in Ukraine. They were in Washington. And I
presumed that people had read it. But it's an article by two
journalists that I don't think I've met. But, you know, it
was -- obviously, people were talking about it because of the
allegations --

Q   Are you familiar with the Embassy's posture during
this time period with Ambassador Chaly?

A   Again, at this time, which we're talking about the
period of the election, which is November 16, and this
article coming out the month of the inaugural in 2017. I was
in Ukraine, Kyiv, not here in Washington. That said, I do
know Ambassador Chaly. I met him for the first time in the
fall of 2004 when he was the think tank --

Q   And he had written an op-ed, I guess, that said
some less than positive things about Candidate Trump?

A   It's possible. I mean, "he" being Ambassador
Chaly?

Q   Yeah.

A   If you say so. Honestly, again, I was in Ukraine
focused on that end of the relationship.
Who was the Deputy Assistant Secretary at the time?

It would have been Bridget Brink, my predecessor.

So, other than this, you know, reading this story, you did not ever come into any firsthand information relating to [redacted]?

No.

Or learn about any initiative on behalf of the DNC to promulgate some of this information?

No.

The story walks through Serhiy Leshchenko's role in publicizing the Manafort ledgers.

The so-called black ledgers, yes.

What do you recall about that?

About the black ledgers?

Yeah.

I recall that those were documents apparently found at the former estate of the previous President who fled to Russia, Viktor Yanukovych, and it indicated individuals who had been receiving payments by the former ruling party.

And at the time Leshchenko, at least it's reported here, suggested that his motivation was partly to undermine Trump?

He's a Ukrainian citizen. I don't know what his motivations are. I know that he was an investigative journalist, and there were, as I recall, hundreds of names.
almost all of which were Ukrainian, in the black book.

Q Would it be fair to say that there were some Ukrainians that were trying to influence the outcome?

A I honestly do not know. I was in Ukraine, and so I was not privy to whatever activities may have been happening here in the United States.

Q

when I would go to the NSC, the person I would normally talk to directly was the State Department detailer, the woman I mentioned previously, Catherine Croft, who has been working with Kurt Volker, she was a director at the NSC for Ukraine. And prior to
Catherine doing her 1-year stint, she had worked at the Ukraine desk at the State Department. And there was an officer named [redacted] who had been working at the Embassy in Kyiv, and he came back and did a year stint at NSC.

So my principal interlocutor when I would go to the NSC to have conversations generally was the State Department director, [redacted] [redacted] [redacted] [redacted].

Q [redacted] Generally, directors at the NSC do not travel on their own, but they often accompany principals. I can say that Victoria Nuland was Assistant Secretary, sometimes Celeste Wallander and Charlie Kupchan would travel with her to countries, whether that would be Russia or Ukraine.

Q [redacted] And, again, I spend most of my life in support of others, and so it hurts me to say this, but generally people remember who the principal on the trip was and not all the staff who actually do most of the work.

Q You talked earlier about Lieutenant Colonel
Vindman's interactions with your staff?

A Yes. He would reach out -- I'm the Deputy Assistant Secretary, but there's an office that works on Ukraine, Moldova, and Belarus, and those are three countries for which he had responsibility within the NSC, although he was actually recruited to work on Russia, but he ended up working on Ukraine, Moldova, and Belarus, so he is a staff of one for those three countries. So it was natural that he would turn to an office that had multiple people working on those countries to see if they could be supportive.

Q Okay. And you explained that he had, from time to time, made a lot of requests of your staff?

A From time to time, he asked for -- a very short fuse -- detailed documentation that the members felt, first of all, was impossible to meet on his deadline and, second of all, distracted them from the work they had to do. And usually they would raise their complaints to their office director. And if he did not feel his conversations with Alex could provide sufficient relief, he would ask me to weigh in.

Q How long has this he been going on?

A Well, I mean, I believe that Alex came on to the account at the end of the summer of 2018. So my return from Kyiv, I started work the day after Labor Day in September 2018, and his arrival to the NSC staff may have
been the same week and certainly was within the same month. He came over from Joint Chiefs at the end of the summer of 2018.

Q  Do you know when his detail was up?
A  Generally, again, I've never worked at the NSC, but my general understanding is it's 1-year renewable. And generally, because of the budget and staffing patterns, they ask for detailees, which the host agencies pay for. And generally they come from State, Office of Secretary of Defense, or JCS in the Intel Community, and Treasury also provides individuals. Under Secretary Tillerson, when he had our staff freeze, he tried to limit all detailees. So, as a result, the number of State Department officials on detail at the NSC dropped dramatically, and that required, in order to staff it at similar levels, an increase in detailees from the Intel Community, the Pentagon, and JCS.

Q  Do you know when his detail is up?
A  Well, he's obviously in his second year now, and I get the sense that there are mechanisms to allow for renewable, even though that's not standard. Those jobs are incredibly draining, so most people are happy to do 1 year and move on. But he clearly got an extension to a second year, but I've never discussed that issue with him. But my presumption is that, at some point, it was extended by a second year.
Q Did you have any communications with anyone at the State Department about your testimony here today, other than the ones you've described with the lawyers and --

A Well, I described early on a communication about the document search. Subsequent to that, I did not have any discussions or coordination about what I would say personally. The conversations with the counsel, legal office counsel, then went through counsel with [redacted], I got several letters that were signed by Under Secretary of Management Brian Bulatao, and then there were a number of conversations that [redacted] had, which I did not participate in.

Q But nobody has tried to influence your testimony. Is that correct?

A No. That is correct.

Q And did you talk to Ambassador Yovanovitch after or before her testimony with us?

A When you say "talked," what's your timeframe? What are your time --

Q Since she appeared, which was last Friday?

A I have not had any conversations with her since then. My wife, I believe, has because of the health of her mother. And my wife visited her mother in hospital and then had a conversation with Masha.

Q Okay. But you didn't speak to her about her
testimony or your testimony?

A I have not talked to Masha since Friday, no.

Q Okay. And to the extent you reference her testimony, it's the prepared statement?

A It was made available and, I read it online, I think The New York Times.

Q Okay. This morning, we were talking about the State Department's record collection procedure and responding to the subpoena. Have you ever been involved with a congressional records request?

A The only previous record request that I have seen, although I was not specifically named as a record collector, was the Senate's Select Intelligence Committee's request for documents related to Paul Manafort and Konstantin Kilimnik.

Q How did the -- as far as you know, the ordinary process work for producing documents to Congress?

A Well, again, I have been present or seen the process happen twice, once when I was at an Embassy and, the other time, the past 2 weeks at the State Department. At the Embassy, there was a mechanism where our information management resource, our specialists who work with the information systems, went through and were able to extract from the system of backups any emails that had reference to the individuals listed.

And what was different about this search the last 2
weeks was, the State Department did that automatically, but there were these other records that would not have been accessed automatically, and those included memos that were written but never logged and sent to a principal like the Secretary, handwritten notes, or other communications.

Q  Okay. Did I understand your testimony that you were concerned about the integrity of the document collection process?

A  What I said was, when we had our meeting on the 3rd of October, based on instructions that had been prepared by others that I presumed were in our congressional liaison in the legal office, that when they identified potential chief record collectors, that there were individuals that were not included that were in the listing, and, therefore, there were additional people that were asked to check for records.

Q  Okay. And I may have heard this incorrectly, but it's not your understanding that the State Department officials look for documents and then send them in to Congress individually, right?

A  It was clear in the instructions that, as part of the process of collecting documents, the records should be identified, and then there would be a central repository for the processing of those documents. And that's in an office that is under our what's known as the A Bureau, the Administrative Bureau. So I guess there's a unit that deals
with this, and that was the mechanism.

Q  You don't have concerns with that, do you?

A  That sounds like an appropriate centralized way of
gathering documents from many people.

Q  So the function of the State Department collecting
the documents and going through the documents, organizing the
documents, and producing them to Congress is what you
understand to be ordinary course?

A  Well, my role as an identified record collector was
to go through all of my records and identify information and
provide that information. So that's what I did. What
happens after that is a process that I don't have --

Q  Okay. You don't have a lot of experience with

A  This is the first time that I've gone through this
process, yes.

Q  Okay. So you're not in a position to evaluate
whether the process undertaken here has been irregular or
improper?

A  This is the first time I've done this type of
process where I've had to go through all my handwritten notes
and other forms of communication to find evidence that might
be responsive to the subjects that were listed in the
subpoena.

Q  Okay. And then a couple times you used the
terminology "when Volker released his tweets"?

A I should have said WhatsApp messages; I'm sorry.

Q And so I just wanted to circle back to that, that I don't believe Ambassador Volker has released anything himself. He provided documents to the committees, and then, you know, the committee -- is that your understanding?

A I do not know how that information made it into the public domain.

Q Uh-huh.

A I do not engage the media and have studiously avoided the media before coming here. I cannot say that's been Kurt's approach.

Q Okay. But you're not aware of him releasing his text messages like affirmatively on his own?

A I do not know how his WhatsApp messages made it into the public domain.

Q I mean, it's conceivable that somebody on the Hill side, I know that might come as a shock, would push certain messages out. Is that something that --

A That's one option.

Q Okay. So you think that maybe he's pushing his own messages out on his own?

A I do not know.

Q Okay.

MR. CASTOR: Mr. Zeldin.
MR. ZELDIN: Assistant Secretary Nuland's name has come up a few times. Kathy Kavalec?

MR. KENT: Kathy Kavalec.

MR. ZELDIN: Are you aware of Assistant Secretary Nuland instructing Kathy Kavalec to speak to Christopher Steele during the 2016 campaign?

MR. KENT: I was in Kyiv, and Kathy Kavalec was the Deputy Assistant Secretary for Russia, and so I was not aware of what the nature of engagement between Assistant Secretary Nuland and Deputy Assistant Secretary Kavalec would have been, no.

MR. ZELDIN: Are you aware of Ambassador Yovanovitch ever having conversations with Ukraine officials on specific individual cases before the prosecutor?

MR. KENT: When you say "specific cases," what do you mean?

MR. ZELDIN: In any of the prosecutor's cases, any of the Ukraine's prosecutor's cases, are you familiar with any conversations Ambassador Yovanovitch had with that Ukraine prosecutor about any of those cases?

MR. KENT: Which prosecutor are you referring to?

MR. ZELDIN: Well, I was referring to the state prosecutor, but with regards to Ukraine's state prosecutor or any cases within the Ukraine Government, are you aware of Ambassador Yovanovitch having any conversations with any
prosecutor in Ukraine about any of the Ukraine cases?

MR. KENT: During the period of time when Yuriy Lutsenko was prosecutor general, and he became prosecutor general before Ambassador Yovanovitch arrived at post in August 2016, the U.S. Government had concerns that Ukrainian law enforcement, prosecutorial, and intelligence services were occasionally harassing and investigating without merit civil society activists, members of the media, and political opponents.

And so it was a matter of concern that those in office were using that office not to prosecute criminals but to put pressure on civil society, the media, and political opponents. In that context, yes, both the Ambassador and I raised concerns specifically about action taken without evident merit to pressure civil society, the media, and political opponents.

MR. ZELDIN: Was this a conversation solely in general, or were there discussions about specific cases?

MR. KENT: When, in a country whose leading journalist was murdered on the orders of a President in 2000, when journalists are attacked, when an anticorruption activist has acid thrown in her face at the orders of people that were politically connected and after 12 operations she died, yes, we raised specific cases of concern regarding the misuse of state office to go after civil society activists, members of
the media, and members of the opposition.

In the year before President Poroshenko ran for reelection, there were over a hundred such attacks against civil society, the media, and occasionally political opponents, none of those were prosecuted by Yuriy Lutsenko.

MR. ZELDIN: Do you recall the names of -- any of the names of the individual cases that you spoke to or Ambassador Yovanovitch spoke to Ukraine about?

MR. KENT: I would say that, in the last 3 years, the most prominent case was this anticorruption activist that I mentioned. Her name is Katia Handziuk, H-a-n-d-z-i-u-k. She was in a town in Kherson, and according to activists, civil society, and journalists, there were politicians connected to President Poroshenko, which was also Prosecutor General Yuriy Lutsenko's party, as well as the party connected to Yuliya Tymoshenko. And despite this general knowledge, there was no firm action taken by the prosecutor general.

MR. ZELDIN: And this was a case important to you and Ambassador Yovanovitch?

MR. KENT: This was a case important for the rule of law under a President who had run to change Ukraine, starting with the Revolution of Dignity. So, if you were to ask a Ukrainian over the last year, if they had to cite one case that encapsulated the failures of President Poroshenko and his team, which included Prosecutor General Yuriy Lutsenko,
the case of Katia Handziuk became a clarion example of the
failure for the country to move forward in the same way that
the murder of Georgii Gongadze in 2000 encapsulated the
failure of then President Kuchma to move the country forward.

MR. ZELDIN: But this would be a case that Ambassador
Yovanovitch would be very familiar with?

MR. KENT: This is a case that was under great
discussion. The initial attack occurred in the summer of
2018, I believe, that the activist eventually died in roughly
November of 2018.

MR. ZELDIN: Yeah, I just don't want to put any words in
your mouth, that's why I'm asking the question. This would
be a case that Ambassador Yovanovitch would have been very
familiar with?

MR. KENT: I would imagine so, yes.

MR. ZELDIN: And were there many other cases that you
have recall of individual names of cases as you sit here
today, without having to go through the entire list?

MR. KENT: I honestly -- the number of uninvestigated
assaults on members of civil society, the media, and the
opposition, as I said, eventually reached 100, and that was a
trend line and a message to everybody. So I cannot cite all
100.

MR. ZELDIN: I wasn't asking. I just wanted to ask,
though, if necessary, there are many cases that you recall
the names associated with the cases?

MR. KENT: On any given month, there would have been perhaps cases that rose to the fore as being emblematic of the direction. For instance, last December, 2018, one of the candidates for President, Anatoliy Hrytsenko, was assaulted in a parking garage in the city of Odesa. A former Defense Minister running for President was assaulted by thugs, and there was no effort to investigate that. That is a classic example of intimidation, and the lack of an investigation is a suggestion that those in power were not interested in holding the people to account because the accounts indicated that they were probably connected to the power organizations.

MR. ZELDIN: Did you keep track of these individual cases that we were engaging Ukraine with?

MR. KENT: The Embassy, as part of its advocacy, would have no doubt kept a running list and, in my experience from when I was there, would have discussed this extensively with the other likeminded Ambassadors. And there was a collection of Ambassadors to the G7 countries, plus the Ambassador to the EU, met almost weekly. And the issue of the deterioration of the rule of law and the lack of accountability and impunity for these attacks was a frequent topic.

MR. ZELDIN: With regards to this list of cases, who would you speak to on the Ukraine side about the individual
cases. Was there a person, an office, that you would
communicate with?

MR. KENT: The Ambassadors, I believe, collectively, the
G7 Ambassadors, plus the EU Ambassador, when they had a meet
with President Poroshenko, my understanding is this was the
type of issue that was raised. Again, starting in August 18,
I was back in Washington, so I did not participate in those
meetings. The trend line and the deterioration started about
the time I came back here to Washington.

MR. ZELDIN: When communicating with Ukraine with these
lists, was Lutsenko or any of the people from his office
present in any of those meetings?

MR. KENT: I can't say for certain. I do not think it
was normal for the prosecutor general to be attending the
meetings when, you know, eight Ambassadors come in to see
President Poroshenko. It's not like they met that often.
Prosecutor General Lutsenko, in my experience, occasionally,
would summon Ambassadors or Embassy representatives to have
meetings with him for sort of exchange on the situation, the
current status of rule of law in the country.

MR. ZELDIN: It's a possibility that somebody
representing Lutsenko might be present at any of these
meetings?

MR. KENT: Again, this trend line started last summer
about the time I came back, so I don't know who was in any
particular meetings.

MR. ZELDIN: The United States policy towards Ukraine over the course of the last couple of years with regards to aid, support for Ukraine, would you assess it as getting stronger?

MR. KENT: I would say that, thanks to the appropriators on the Appropriation Committee, the amounts made available for assistance to Ukraine has increased yearly since 2014, yes.

MR. ZELDIN: And how important is it to Ukraine to have access to Javelin.

MR. KENT: I am the son of a submarine captain. I'm not the son of an Army cav or infantry officer, but I understand from my colleagues who do have such experience -- and our Belarus desk officer was an officer who used Javelins -- is that they are incredibly effective weapons at stopping armored advance, and the Russians are scared of them.

MR. ZELDIN: Earlier on, in one of the rounds, I believe this morning, there was discussion with regards to the firing of Ambassador Yovanovitch, and later on, you testified that you read the July 25th transcript. Do you recall the part of the transcript where President Zelenskyy is speaking about Ambassador Yovanovitch?

MR. KENT: I have the transcript here, and yes, I believe somewhere our President says something, and then
President Zelenskyy says something back --

MR. ZELDIN: You're looking at page 4?

MR. KENT: Right.

MR. ZELDIN: There is a full paragraph of President Zelenskyy in the middle of the page, and towards the bottom of that paragraph, President Zelenskyy speaks about Ambassador Yovanovitch?

MR. KENT: Yep.

MR. ZELDIN: And in it, part of what President Zelenskyy says, quote: Her attitude toward me was far from the best as she had admired the previous President and she was on his side. She would not accept me as the new President well enough, end quote.

Do you know where President Zelenskyy would have developed the belief that Ambassador Yovanovitch was loyal to a previous President?

MR. KENT: I have no idea because I do know that President Poroshenko thought she was not a fan of him.

MR. ZELDIN: And I recall you testifying to that earlier.

MR. KENT: Yeah.

MR. ZELDIN: That President Poroshenko had targeted Ambassador Yovanovitch, which is why I wanted to ask you about this particular quote from President Zelenskyy. Did you have an opportunity to meet with President Zelenskyy and
MR. KENT: I have not been a part of the meeting with Zelenskyy since this call happened, and since I also -- since I first saw this text 2 weeks ago. And of the meetings that I had with Zelenskyy previously, the meeting in March of 2019, which is when he was running as a candidate that was Under Secretary Hale, Ambassador Yovanovitch, and myself, when I came back in May, when he was President-elect Zelenskyy, Ambassador Yovanovitch had already been recalled. So the only meeting that was in the room at the same time with Ambassador Yovanovitch and Zelenskyy was in March, and the principal in the meeting was Under Secretary Hale.

MR. ZELDIN: Did you have an opportunity to observe any direct interaction between President Zelenskyy and Ambassador Yovanovitch?

MR. KENT: I only saw when he was Candidate Zelenskyy with her, and at that point, the focus was on Under Secretary Hale as the ranking visitor.

MR. ZELDIN: So no indications from that exchange that would help us understand that statement from President Zelenskyy with regards to loyalty to a previous President and not accepting Zelenskyy?

MR. KENT: I have no way of explaining why he said that, no.

MR. ZELDIN: Why weren't you on the July 25th call?
MR. KENT: As I stated earlier, in my 27 years in the
Foreign Service, I've never been on a Presidential call, and
that is not normal for officials that are at the Embassy or
at the State Department. The people who normally are on a
Presidential call are staff at the National Security Council
and the White House. And I have not served as a detailee to
the National Security Council in my career.

MR. ZELDIN: As far as the participants on the call, you
testified earlier that you got a readout of the call from
Lieutenant Colonel Vindman?

MR. KENT: Correct.

MR. ZELDIN: Was there anyone else on the call who would
typically give you a readout of that phone call?

MR. KENT: I would say that it was standard procedure
for the director to give a readout to the Deputy Assistant
Secretary. So, for instance, it was also Lieutenant Colonel
Vindman who gave me the readout in April after the
inaugural -- sorry, the election day victory call. So that
was standard practice, that the director for a country would
give a readout to the DAS so that the policy DAS at State
would know the substance of what was discussed so we could
make sure that our policy going forward was aligned with the
conversations had by the President.

MR. ZELDIN: We only have a couple minutes left, but
something that is still outstanding from a previous round I'm
trying to understand. You have a reputation of loving and cherishing this U.S.-Ukraine relationship and dedicating your life toward strengthening the relationship between the United States and Ukraine. That is something that I've heard. And you get a readout from Lieutenant Colonel Vindman that doesn't have a lot of details, and you don't try to get any more information about the call. I just want to better understand your mindset that, once you got that readout that was lacking substance, that you chose not to try to get any more information. This is what you've dedicated your life towards strengthening this relationship. And I don't understand that. Can you better explain that?

MR. KENT: I think some people try to be in the middle of everything, and some people try to do their job based on the conditions which they are issued. So, again, I don't work at the White House. There are conversations and meetings that I do not take part in. My job is to represent the State Department and try to promote our national interests through the policies that have been discussed and agreed to in the interagency format and to use the mechanisms that the State Department has under its ability, including programming funded by appropriations from Congress, to pursue those national interests. So that's my job. It's also my job for six countries.

Now, admittedly, Ukraine is the biggest country.
Georgia is a country which Congress appropriates over $100 million a year. And so I am juggling responsibilities for these six countries and traveling to all six countries. So we are focusing on one of six countries today for which I have responsibility. So I do not live, breathe every single second of my life focused on Ukraine, no.

MR. GOLDMAN: I think that's time.

Ambassador Kent, you've been here a long day and I'm sure --

MR. KENT: I'm not Ambassador.

MR. GOLDMAN: I'm sorry. Mr. Kent. The members are going to have to go vote I think in about 20 minutes. So I know you've just sat through another hour and a half. Would you like to take a 5-minute break --

MR. KENT: I'd appreciate that.

MR. GOLDMAN: And then we'll come right back. Okay. Let's do that.

[Recess.]

MR. GOLDMAN: Back on the record. It's 6:20, and it's the majority's round. Mr. Kent, thank for your patience and diligence today, we are nearing the end.

Mr. Mitchell.

BY MR. MITCHELL:

Q Sir, in the last round, you mentioned security assistance. Can you just generally describe what Ukraine
Security Assistance Initiative is?

A Well, that is a specific term that refers to money appropriated in the Defense budget as opposed to the State Department budget. Traditionally, foreign assistance was appropriated under what's known as foreign military financing in State Department budget. Several years ago, Congress started appropriating monies in the Defense budget. And so the Ukraine Security Initiative is monies that are made available in the Defense budget. And that is something that was started maybe 3 years ago and has grown in scope. The fiscal year 2019, which just concluded, it was $250 million.

Q Are you generally familiar then with both USAI and FMF?

A Generally familiar, but I did not ever have line authority over security assistance in the way I had for a rule of law and justice sector assistance.

Q And when you say "authority," do you mean both when you were in Ukraine as well as in your current position?

A The way security assistance works, regardless of what budget it is appropriated in, the monies are executed by agents usually affiliated in the case of Ukraine with European Command, and we have an Office of Defense Cooperation in the Embassy. And the direction in how we spend that money is usually determined in a joint military commission between EUCOM and the Ukrainian general staff.
Are you generally familiar with the way in which, the process by which USAI funds are released?

Are you now talking about a budgetary process here in Washington?

So, for example, does Ukraine need to meet certain benchmarks before those funds can be released?

The authorizers in Congress have put conditionality for the last several years on the second half. So, for instance, this past year, $250 million, there was a conditionality on the second $125 million. In a previous year, I don't know if it was the previous year -- I don't know if it's the previous 2 years ago or the first year 3 years ago -- there was that conditionality, but the appropriators did not appropriate as much money as the authorizers authorized. So the conditionality did not kick in. But, yes, generally the authorizers and appropriators worked together to put conditionality on the monies in the USAI.

And what was your involvement, if any, on determining whether the conditionality had been met?

The conditionality is set by the Office of the Secretary of Defense. My counterpart, Laura Cooper, plays a principal role in that, and the determination to Congress is made by the Secretary of Defense.
Q: And is there an interagency process that takes place with regard to the release of the funds?

A: Once the funds are in the hands of the U.S. military -- and specifically, I believe, they are held with the Defense Security and Cooperation Agency -- the State Department does not have a role, no. On the front end, discussing what might be appropriate conditions, there is a discussion, but ultimately that is a process, and the specific conditions, and whether they have been met, is determined by the Office of Secretary of Defense.

Q: What about with regard to FMF, how does that work?

A: Foreign military financing, the State Department has a greater role in determining what the policy goals are and how that money would be applied, but that is also very much a collaborative process. And, ultimately, the FMF is also cut over to the U.S. military, specifically, the DSCA is the executive military agent. We don't spend and implement the programming the way that we would, say, for law enforcement programming. It, again, is monies where we have a greater policy role upfront and voice, but in the end, it's executed by U.S. military components.

Q: And what is your personal involvement in FMF then?

A: I have frequent conversations with my counterpart, Laura Cooper, not just about Ukraine. She covers more countries, but there's a lot of assistance going to Georgia,
and so we have conversations about multiple countries, and we also talk about the conditionality in Ukraine.

Q: Did you attend any of the PCC or sub-PCC meetings in July regarding security assistance for Ukraine?

A: Yes.

Q: Which ones did you attend?

A: The first one where this issue came up was July 18th. It was a sub-PCC, to the best of my recollection, and the intended topic was ________.

Q: Was there any discussion of the meeting at the sub-PCC level on July 18th about any sort of freeze of the security assistance to Ukraine?

A: Yes.

Q: Can you describe that discussion?

A: It was described as a hold, not a freeze. There was a representative of the Office of Management and Budget. I was at the State Department in a security video conference, I did not recognize the face. And I believe the individual representing OMB at the time was not normally the person who did. It was the summer vacation cycles. And he just stated to the rest of the those participants, either in person or video screens, that the head of the Office of Management and Budget who was the acting chief of staff, Mick Mulvaney, at the direction of the President had put a hold on all security
assistance to the Ukraine.

Q Mulvaney had put a hold at the direction of the President. Is that what you heard?

A That is what the representative of the Office of Management and Budget stated in the sub-PCC on July 18th, yes.

Q Was there any discussion following that announcement?

A There was great confusion among the rest of us because we didn't understand why that had happened.

Q Did anyone ask at that sub-PCC meeting why that happened?

A We did. And the individual said that he apologized, that he normally did not deal with these issues, but this was the message he was asked to convey and he conveyed it.

Q And the individual being this gentleman from OMB?

A The representative from the OMB in that particular meeting, yes.

Q Was that the end of that discussion on this topic?

A Yes.

Q On that day?

A Yes.

Q Did you have any internal discussions at the Department of State on or about July 18th after this
pronouncement had been relayed to you?

A   I did.

Q   And who did you have those discussions with?

A   Tyler Brace, our schedule C political appointee, former staffer for Senator Portman, who understand budgetary processes in great detail.

Q   When did you have that conversation?

A   I believe I had it subsequent to the sub-PCC, same day.

Q   And can you just describe what you talked about?

A   We discussed what the significance of that was because none of us could understand why. Since there was unanimity that this was in our national interest, it just surprised all of us.

Q   When you say "unanimity" that it was in our national interest, what do you mean by that?

A   I believe that it is a factually correct statement to say that there's broad support among both parties in Congress, both Houses in Congress, and among the State Department, the Defense Department, Joint Chiefs, and other elements of the U.S. Government for the security assistance programs.

Q   Prior to this July 18th meeting, had you gotten any sort of wind or idea that this aid would be frozen or held?

A   No.
Q And it was your understanding on July 18th that all conditions had been met?
A For?
Q To release funds.
A That was my understanding. You're talking about the funds for USAI and the FMF fund?
Q Correct.
A That was my understanding, yes.
Q Has your understanding since changed?
A Well, eventually, the hold was released on September 11th, and the funds were then apportioned by OMB to the extent that it was possible to spend them by the end of the fiscal year, yes.
Q So do you know anything that changed between July 18th and when they were actually released in September?
A When you say what changed?
Q Any sort of conditions.
A In Ukraine?
Q Anywhere.
A My understanding of what happened after that date was that Senior Director Tim Morrison started going up the chain of the interagency process according to National Security Presidential Memorandum 4, and that meant holding a policy coordinating committee meeting, which he scheduled for July 23rd, followed by a deputy small group meeting, which I
believe may have occurred on July 26th. And then Senior Director Morrison was looking to schedule a principal small
group meeting that would involve the Secretary of State personally, Secretary of Defense, and Ambassador Bolton so
they could discuss the issue and then take it to the President.

Q Were you present for the PCC meeting on July 23rd?
A I believe I was, yes, as a back-bencher. I was not the principal.

Q I should have asked you. On the 18th, did you take any notes of that meeting?
A I did.

Q And are those among to notes thank you provided to the Department of State to produce to Congress?
A They should be. I photocopied quite a lot of notes, but certainly the statement of conclusions should be included, although now I'm thinking -- I'm not sure if sub-PCCs have statement of conclusions. Those may be only for PCC meetings. But to the extent I took notes on that meeting, I would have included them, yes.

Q For July 23rd, you said were you a back-bencher at the PCC meeting?
A Yes.

Q And was this topic of the hold of the Ukraine aid discussed at that meeting?
A That was the purpose of the meeting.

Q What was discussed?

A To the best of my recollection, the conversation was everybody going around the table and saying they supported the lifting of the administrative hold so that the State Department and the Office of Secretary of Defense, Pentagon, could move forward. We were ending -- approaching the end of the fiscal year, and I believe that Laura Cooper, speaking on behalf of the Pentagon, indicated that the DOD comptroller had determined that they needed to move forward by August 6th in order to spend the money and meet Congress' intent.

Q Was there any discussion of the legality or illegality of the hold?

A There was discussion about the standing of OMB to put an informal hold. Normally, the conversations with OMB prior to notification to Congress is a courtesy, not something required under law. And that is why the position was expressed by Laura Cooper, to the best of my recollection, that DOD counsel had determined that they would move forward by August 6th regardless. And I recall Senior Director Morrison suggesting that the State Department also review its legal requirements and be prepared to have that briefed at the next meeting, which he set 3 days later, as a deputy small group meeting.
Q: So, if OMB did not move forward by August 6th, what would be the implication?

A: Again, this is about an account that was not appropriated to my department nor executed in my department, so I would defer to my colleague, Laura Cooper. But to the best of my recollection, what she said in that meeting was that, according to DSCA, they may not be able to execute all of the requirements by the end of the fiscal year. My understanding is that USAI monies are 1-year monies. The monies in the State Department FMF account are 2-year monies.

Q: What did OMB say, if anything, in response to Laura Cooper's --

A: OMB's position was what it had been on the 18th, that they were under the direction of their boss to put -- hold all security assistance to Ukraine.

Q: Did they provide a reason?

A: They said it was at the direction of the President.

Q: Who was present for the July 23rd meeting?

A: That would be a matter of record because that was a PCC, and there's a statement of conclusions. And in the statement of conclusions, on the first page, there's a listing of all participants in the meeting.

Q: Did you receive a copy of the statement of conclusions for this meeting?

A: I believe I did, and that would have been provided
to the document request.

Q Did OMB provide any reasoning beyond simply it was at the direction of the President?

A Not to my recollection, no.

Q So they didn't describe why the President had placed this hold?

A There was a lack of clarity.

Q What do you mean by that?

A The participants who up until that point had thought that there was unanimity that this was in our national interest did not receive an explanation for why this particular action was taken.

Q Okay. So, to your knowledge, no one at the PCC meeting on July 23rd knew why the President was making the decision or at least they didn't express it at that meeting?

A I do not recall any coherent explanation, no.

Q Was there any explanation at all, coherent or incoherent?

A OMB placed a hold on a process that -- traditionally, that is the office that has a voice on how the executive branch spends money.

Q Was that unusual, in your experience?

A According to, in my conversation with Tyler Brace, who again has worked here as a staffer, the previous cycle, OMB head, Acting Chief of Staff Mulvaney, had attempted a
rescission at the end of the year, and indeed the next week, 
at the beginning of August, he sent out a data call with the 
intent potentially to execute a rescission involving billions 
of dollars of assistance worldwide, not just Ukraine.

Q  Okay. So, in your experience, though, was this 
unusual?

A  I had read about Mr. Mulvaney's attempt to push a 
rescission at the end of the last fiscal year. My 
understanding was that Secretary Pompeo protested vigorously, 
and the effort to have a rescission was then suspended.

And, ultimately, the same thing happened this year, this 
overall greater effort to have a rescission held up the 
process for much of August, but it was also lifted, and that 
left us with just the hold on Ukraine assistance.

Q  The Ukraine assistance that you just mentioned, is 
that FMF, or is that the USAI?

A  It affected both accounts, the Department of 
Defense $250 million, and the $141 million under FMF.

Q  Okay. And you said that that was still being held 
in August?

A  That hold, the OMB-directed hold, was lifted on 
September 11th.

Q  What happened at the July 26th deputies' meeting?

A  I did not participate in that meeting. Under 
Secretary Hale represented the State Department, and I cannot
recall the exact outcome. That would also be documented in
the document call, but it did not change the ultimate
situation.

Q  Did you see a readout of that particular meeting?
A  I did.

Q  And is it in a similar form as the statement of
conclusions?
A  To the best of my knowledge, yes.

Q  And what do you recall from that readout?
A  The main takeaway for me was that Senior Director
Morrison was trying to find out when Secretary of State
Pompeo and the Secretary of Defense would both be in
Washington so they could have an in-person principal small
group meeting to discuss the same issue and then take it to
the President.

Q  Was there any discussion at the July 26th deputies'
committee meeting about the reasons for the hold?
A  I honestly cannot recall if there was any detail.
The bottom line was the hold remained, and we needed a
principal small group to carry the process forward.

Q  But it's your understanding at the July 26th
meeting that, again, there was unanimous support to release
the funds to lift the hold. Is that right?
A  With the exception of OMB, yes.

Q  Then you mentioned that there was planning to have
a meeting on July 31st. Did that meeting actually take place?

A I didn't say that, but I believe that may have been one of the dates that Senior Director Morrison was attempting to schedule a principal small group meeting.

Q Was there a principals meeting at any point?

A To the best of my knowledge, because of the travel schedules of the two Secretaries, no.

Q So what happened next, as far as you know, with regard to the lifting of this hold?

A I am aware that many Senators, particularly from the Republican side, who had traveled to Ukraine from the relevant committees, called and talked to the President. I'm aware that -- I saw an email that Senator Inhofe had had about a 20-minute conversation. He had visited twice when I was in Ukraine because Oklahoma National Guard was doing training at the main training base. Senator Portman called, including the day it was lifted. And my understanding is that Senate Majority Leader McConnell also called.

Q Was there any discussions at State between July 31st and when the funds were actually released about the freeze that you partook in?

A The State Department was concerned. Obviously, we wanted to get the hold lifted so that we could get the money apportioned by OMB and then obligated. And so we were -- at
the direction of Senior Director Morrison, exploring what was
the absolute minimum amount of time that would be necessary
to obligate the money once the hold was lifted. So we were
preparing for a decision so that we could ensure that the
money could be obligated before the end of the fiscal year.

Q When was the first time that you heard that the
security assistance might somehow be linked to this White
House visit or investigations conducted by Ukraine?

A Because everyone was unclear why this had happened,
I think, in the vacuum of a clear explanation, people started
speculating. So there was a coincidence of timing, but as I
referred earlier in the communication with Charge Taylor,
he indicated to me that, in his communications with both
Senior Director Morrison and Ambassador Sondland, and this
would have been the weekend of the 7th and 8th of September,
that both of them insisted that there was not a direct link.

Q And that was based on what?

A This was a conveyed conversation. That was their
assertions. According to Charge Taylor, separately, Senior
Director Morrison, with whom he had a conversation on the 7th
of September, and Ambassador Sondland, with whom he had a
conversation on the 8th of September, had asserted that the
two were not directly linked.

Q And how do they know?

A I cannot answer for them. That would be the
question to direct to Senior Director Morrison and Ambassador Sondland.
BY MR. MITCHELL:

Q They didn't provide any information as to their source?

A I was not part of that conversation. I was having a conversation with Charge Taylor.

Q And this conversation with Charge Taylor, was that over WhatsApp or was that in person or --

A That was a part of our regularly scheduled Monday secure calls, video conferences. And that part of the conversation we ask all of our staff to leave, so it is just one on one in a secure communication.

Q Okay. And what else did Charge Taylor tell you about these conversations that he had had?

A I recounted to the best of my knowledge what those conversations were. That was Senior Director Morrison talking about his concern that Rudy Giuliani had had another conversation with the President, as well as what Sondland relayed Rudy to be his interaction.

Q And did you memorialize that conversation that you had had?

A Yes. That was part of a note to the file which I provided to the document collection process.

Q Did you talk to anyone else at the Department of State about what Charge Taylor told you?
A I believe I shared my concerns with my colleagues in the European front office. That would be the ones immediately near my office. Included Deputy Assistant Secretary Michael Murphy, who oversees our relations with the Baltics and Nordics and NATO. And for large stretches of time earlier in 2019 it was our senior Bureau official and also the deputy assistant secretary, [REDACTED], who oversees our relations with Western Europe, and that includes relations with Ambassador Sondland and the mission he leads in Brussels.

Q When you said you shared concerns, what do you mean by that?

A I shared the -- I shared the sense that I had heard from Charge Taylor that Ambassador Sondland was engaged in the types of conversations that he was engaged in on Ukraine even though that was not part of his portfolio as our ambassador to the European Union.

Q And again, was this a conversation that you had with Deputy Assistant Secretary Murphy and Fisher in writing or in person?

A Their offices are between 5 and 10 feet away from my office and so I -- this was a direct conversation in their office.

Q And what was their reaction?

A They were aware of the challenge of dealing with
Ambassador Sondland who has a track record of freelancing, would be one way of putting it, but working on issues other than the reason why he was sent to Brussels to work our relationship with the European Union.

Q Did they indicate that they would try do anything about it?

A I don't think there is anybody at the level of deputy assistant secretary of state who can do anything about what Gordon Sondland chooses to do.

Q Do you know when they escalated the issue?

A I do not.

Q At any point were you given a reason why the hold was put in place?

A Not that I recall. Well, I believe, at least in relation to the USAI, there were some concerns expressed in the Pentagon, Office of Secretary of Defense, did a review and responded that they felt that the conditions and concerns that we had had been met and that the programming should go forward. But that was a specific review about USAI, which is not State Department controlled, and so that was an issue between the Pentagon and I guess the White House and NSC.

Q Do you know whether a similar review was conducted with regard to FMF?

A We were not asked for a similar review. The media coverage was focused on the 250 million of USAI. If you look
at those articles at the time they were not mentioning $391 million, which would have been the total FMF plus USAI.

Q. Do you know whether a similar review of FMF has since been conducted?

A. The hold was lifted on September 11th and we moved forward with notifying Congress and ensuring the funds were obligated before the end of the fiscal year. We were not asked and we proceeded with what we needed to do in order to obligate the funds as to meet the congressional intent in appropriating them.

Q. Okay. So to the best of your knowledge, you have no knowledge of any plan to conduct any such review?

A. We did not see it necessary nor were we asked to do so.

Q. All right. Now, when you were in Ukraine, Ukraine was receiving USAI and FMF funds at the time, correct?

A. They were receiving FMF, yes, and I believe the start of USAI was while I was there. I do not recall specifically which fiscal year USAI funds started to be appropriated.

Q. Okay. So based on your experience in Ukraine, as well as your experience here in Washington, D.C., how important are these funding programs for Ukraine security?

A. I would assess that they are critically important. The Ukrainian defense establishment was unprepared to fight a
war with Russia when Russia began its war in 2014. And therefore, the training that we do, which is probably the most valuable in training Ukrainians to fight, as well as the equipping that we do, have been critical to the success of the Ukrainian armed forces in defending their country.

At the same time I would say that we probably derive more benefit from the relationship than the Ukrainians do.

Q How so?

A That would be something to discuss in a classified manner, particularly with my colleagues from the defense and intel agencies.

Q But suffice to say that it was in both Ukraine's national interests as well as the United States' national interest that these funds be released to the Ukraine?

A Very much so.

Q And that's true not just for the time period that you were in Ukraine but also for 2019 when you were back here in D.C.?

A Correct.

Q Have you had any conversations with anyone about what the Ukrainians' perspective was on the freeze?

A They were confused, to the best of my understanding.

Q Okay. And how did you get that understanding?

A Charge Taylor was in Ukraine trying to figure out
how to explain what went on. My most recent trip to Ukraine, I arrived on September 11th. Fortunately that was the day that the hold was lifted. So by the time I started engaging Ukrainians in person, it was a good news story.

Q Had you prepared to answer their questions about the hold?
A I was prepared for the possibility that it would not be lifted and therefore the conversations would be very difficult and I would not by able to provide an adequate understanding or answer.

Q Did you try to get an adequate understanding or answer prior to your trip?
A Fortunately, I didn't have to worry about that hypothetical because it was resolved essentially as I arrived in Ukraine.

Q Right. But prior to you arriving in Ukraine did you attempt to find out why the hold was in place so that you could actually have a meaningful conversation with the Ukrainians about this issue?
A We -- it was very clear that this issue was only going to be resolved they very highest level, and that's why Tim Morrison wanted to have Secretary Pompeo and SecDef Esper in the same place at the same time to have that conversation. That was the level at which the conversation needed to happen. It didn't matter what the deputy assistant secretary
or an assistant secretary or an under secretary or a deputy
secretary thought.

Q Okay. To the best of your knowledge, did that
meeting happen?

A To the best of my knowledge, there was never a
principal small group meeting on this issue.

Q What did Taylor, Charge Taylor, say to you about
his conversations with Ukrainians about the hold?

A I honestly don't recall in detail. I think it was
clear starting, if not from July 18th, certainly from July
23rd, that this was an issue that had to be resolved in
Washington, and it was a tough nut for everyone to crack
without a lot of clarity.

Q It was your understanding at the time, though, that
the issue had to be resolved at the principals level?

A Once we cleared the deputy small group meeting,
which I believe was July 26th, it was clear it had to be
resolved at a principals level and above. And so that was
clear I think to everyone after July 26th.

Q Okay. And when you say above, you mean
specifically the President of the United States?

A Well, the principal small group, members of the
Cabinet, who then could take the issue to the President.

Q And again there was never a PCC as far as you know?

A There was a PCC on July 23rd. So in the sort of
climbing the ladder we started with a sub-PCC on the 18th. There was a policy coordinating committee on the 23rd. There was a deputy small group on the 26th. And there was an attempt to schedule but lack of principals subsequent. That was Tim Morrison driving the interagency policy review process in the way it was intended.

Q So to the best of your knowledge, this issue ultimately was not resolved by the principals, it was resolved by the President?

A Correct.

Q You testified earlier about August 15th and August 16th. At the time did you think that the aid might in any way be linked to the investigations that were being pushed by Mr. Giuliani or that were discussed by the President in the July 25th call?

A I personally did not associate them, no.

Q Has your thinking changed in any way since then?

A This is a personal opinion. It strikes me that the association was a meeting with the White House, at the White House, not related to the security assistance. But again, that's just my personal opinion, other people may have different opinions.

Q What was Charge Taylor's opinion?

A I think there is the WhatsApp exchange where he expressed concerns that it might be linked.
Q    But what did he tell you?
A    I don't recall having a conversation where he expressed the same opinion to me that he shared in the WhatsApp messages that apparently were leaked, but in any case were handed over by former Special Representative Volker.

He did in one conversation with me share a conversation he had with Ambassador Sondland in which Ambassador Sondland, who had told him that there was no quid pro quo with the security assistance, said, on the other hand, you know, the President's a businessman and if you're going to sign a check for $250 million why not ask somebody for something.

Now, that was sort of an informal comment that Ambassador Sondland made to Ambassador -- to Charge Taylor and that he conveyed to me. But the same person, Ambassador Sondland, said there was no quid pro quo on security assistance.

Q    When did Charge Taylor relay this conversation that he had had with Ambassador Sondland?
A    I cannot recall if it was in our secure conference call that I described on September 9th or, since I then flew to Ukraine and stayed with him over that weekend, whether he may have shared that with me in person. But I believe I did write that note up and share it with the records. So it's part of the records that were collected by the State
Department.

Q And the Ukraine trip was on or about September 11th?

A I arrived in Ukraine on September 11th, that's correct.

Q What did you do with the -- this memo that you wrote up on or about the 9th of September or 11th of September?

A I added it to the note on file that I had initially written on the 16th of August and then subsequently amended it with the conversations I had with Charge Taylor in person in Ukraine.

Q And who did you give that memo to?

A It was a note to the file, so it stayed as a note to the file until I submitted it to the document collection when those were requested.

Q Okay. When you say to the document collection, you're talking about -- were you referring to the subpoena?

A I am referring to the subpoena.

Q Okay. So you didn't specifically give this memo to Deputy Assistant Secretary Murphy, for example?

A To the best of my recollection, when I returned from Kyiv I wrote the note to the file and I orally briefed Deputy Assistant Secretary Murphy, Deputy Assistant Secretary Fisher, and Acting Assistant Secretary Reeker.
Q It is a different brief than the ones we were talking about earlier?
A Correct. The previous time when I talked -- yes, because this is sequential. So I had two conversations with two individuals on the 15th and 16th of August. That was the first time I wrote a note to a file. I had subsequent conversations with Ambassador -- Charge Taylor on the 9th of September, another note to the file. And then travel to Ukraine, conversations there, return, note to the file, oral brief.
Q Okay. And the oral briefing was with Fisher, Reeker, and Murphy?
A To the best of my knowledge, yes, but I did -- I know that I included in my note to the file the officials whom I briefed orally. So I wrote it up and then I briefed and I added that as a note in the file that I -- precisely whom I had oral briefed.
Q Was this one oral briefing or multiple oral briefings?
A It was -- it would have been sequential because those are three different individuals. And so two of them, again, offices are collocated with mine, then Acting Assistant Secretary Reeker's office is across the hall.
Q And what were their reactions?
A At this point it was clear the nature of the
interactions that Special Representative Volker and Ambassador Sondland were having, so it was more confirmation of the conversations that had been clearly ongoing between Ambassador Sondland and Ambassador Volker with Ukrainians.

Q And do you recall what Reeker's reaction was specifically?

A I do not recall precisely. I think they were all concerned.

Q Did they commit to doing anything about this?

A Not that I recall.

Q Did they say that they were going to escalate the issue?

A I do not recall.

Q You testified earlier this afternoon about a conversation that you had with Charge Taylor about Zelenskyy making some sort of TV interview or address, public address.

A I mentioned what Ambassador Sondland had told Charge Taylor and that he conveyed to me, yes.

Q Okay. And when did Charge Taylor have that conversation with you?

A I believe that's what I conveyed to you regarding the conversation I had with Charge Taylor on the 9th of September, referencing his conversation with Ambassador Sondland that occurred on the 8th of September.

Q Did you have any further conversations with Charge
Taylor about this topic after September 11th. I guess it was?
A Yes.
Q And when was the next conversation?
A The next conversation would have happened at the
breakfast table Sunday morning, which I believe was September
15th.
Q And where were you at that time?
A I was his house guest in the ambassador's residence
in Kyiv.
Q Okay. Can you describe -- who else was at that --
A That was just Ambassador Taylor and me. He went
out for a run, and I went down to breakfast, and we met and
talked 7:30 in the morning more or less.
Q What did you talk about?
A We talked about the meeting that ambassador --
Charge Taylor and Special Representative Volker had had the
night before with Andriy Yermak, the close personal aide of
President Zelenskyy.
Q And what were you told?
A Well, that meeting was the one meeting on Kurt's
schedule in Ukraine that he felt uncomfortable with me
joining. He said that it was because of numbers. It was not
clear whether it would be just Yermak or whether he would
also bring a gentleman named Novokov (ph), whom I have not
met, and who is responsible for U.S. relations in the
Kurt said he felt that having three Americans on one Ukraine was too much, and he said if there were a second Ukrainian I could come. I decided not to push it since we were involved in another event, as well as anticipating that there was going to be an awkward conversation, which there was. And Charge Taylor provided me the details of that conversation over breakfast.

Q Which were?

A Well, besides -- the main part of the conversation was about negotiations with the Russians, and I won't mention that and that's not germane.

But the more awkward part of the conversation came when Special Representative Volker made the point that the Ukrainians, who had opened their authorities under Zelenskyy, had opened investigations of former President Poroshenko, he didn't think that was appropriate.

And then Andriy Yermak said: What? You mean the type of investigations you're pushing for us to do on Biden and Clinton?

And at that point Kurt Volker did not respond.

Later on in the conversation, when it came to the potential for Zelenskyy and President Trump to meet, according to Charge Taylor, Special Representative Volker said: And it's important that President Zelenskyy give the
messages that we discussed before.

And Charge Taylor told me that he then said: Don't do that.

Q Who said don't do that?

A Charge Taylor.

Q So Taylor was concerned about the way in which this conversation took place?

A My understanding is that he was concerned. And when Kurt made a suggestion that Charge Taylor felt was inappropriate he weighed in with his own personal opinion, which that was not appropriate.

Q And Volker was directly linking the White House meeting and the investigations that were being pushed by the President. Is that correct?

A It was an elliptical readout that -- by the readout that I heard from Charge Volker -- sorry, Charge Taylor -- that Kurt, Special Representative Volker, was referring to prior conversations that he had with Yermak and prior advice, meaning you should deliver the messages as we've discussed before.

Q Do you know what those messages were?

A This goes back to the signaling for a public appearance. The hoped-for interview with CNN with Zelenskyy did not happen during the conference. Fareed Zakaria was one of the hosts, but there was no special interview. So there
was discussion that President Zelenskyy would have an
interview with CNN the week of the U.N. General Assembly
leaders meetings, which was the week of September 23rd to
27th.

Q And the message that Mr. Volker wanted President
Zelenskyy to provide during the CNN interview was what?
A That Zelenskyy should message that -- his
willingness to open investigations in the two areas of
interest to the President and that had been pushed previously
by Rudy Giuliani.

MR. MITCHELL: I think my time is up at this point.
MR. GOLDMAN: Yield to the minority.
MR. CASTOR: We don't have any questions at this point.

We might subsequently.
MR. GOLDMAN: I think we're almost finished. So we'll
take it back for a few minutes.
MR. CASTOR: Thank you.
MR. GOLDMAN: And then give you an opportunity at the
end.
MR. CASTOR: Okay.
MR. GOLDMAN: Okay?
We are nearing the end. Just 1 second.

[Discussion off the record.]
BY MR. GOLDMAN:

Q A few wrap-up questions here.
That breakfast meeting that you had on September 15th that we were just discussing, did you memorialize that as well?

A I wrote that to note to file when I returned to the U.S., yes.

Q When you get back to the U.S.?

A Subsequent to Ukraine, I went to Belarus, where I was in Belarus for 2 days, including the three-quarter day visit of Under Secretary Hale.

And then after that I went to Lithuania to outbrief our Lithuanian allies about the advances in the U.S.-Belarus relationship, because we -- Under Secretary Hale announced that we were going to return an ambassador to Belarus, which we have not had since 2008.

So I returned to the U.S. in the evening of the 19th of September. I was in the office on Friday, the 20th, and then took a train up first thing Monday morning to be in New York for the U.N. General Assembly meetings.

Q Were there any conversations that week on the -- in the U.N. General Assembly week -- that you were aware of or were present for or that related to these investigations into Biden in 2016 that we've been discussing?

A No.

Q You had neither had any nor heard of any?

A I was not involved in any meetings, no -- of that
nature, no. It was very much focused on the intense
engagement of many foreign leaders who were there at that
time.

Q Because you said that as of September 15th there
was still a hope, for example, that President Zelenskyy would
give an interview with CNN when he was in New York for the
General Assembly and specifically mention those
investigations, right?

A That was my understanding of what Ambassador Volker
and Ambassador Sondland were requesting of the Ukrainians,
yes.

Q But you don't know whether anything came of that?

A To the best of my knowledge, President Zelenskyy
did not give an interview to CNN while in New York with that
sort of messaging, no.

Q Did you have any meetings with any Ukrainians
officials during that September 11th to 15th timeframe
yourself where they expressed -- where they discussed these
investigations at all?

A The only meeting that I was a part of where this
came up obliquely was with the foreign minister, Vadym
Prystaiko. And that was a meeting with Kurt Volker, Charge
Taylor, and myself in which the foreign minister said: You
guys are sending us different messages in different channels.

Q And what did you understand that to mean?
A Well, in that meeting all three of us, Kurt Volker, Charge Taylor, and I, all reiterated that it would not be appropriate for the Ukrainians to engage in any activity that could be construed as interfering in the U.S. election.

Q And so what was the conflicting message that they were receiving?

A Well, I would suggest that what was said later on that night, in the meeting I was not a part of, to Andriy Yermak was the conflicting message. And as I recounted, there were two messages, there was what Ambassador Volker said and what Charge Taylor said, and those themselves were conflicting messages.

Q Because -- just to be clear -- because Ambassador Volker was saying not to investigate Poroshenko?

A No. Ambassador Volker suggested that Andriy Yermak should ensure that the agreed-upon messaging was delivered by President Zelenskyy. And Charge Taylor said: Don't do that.

Q I see.

You made some reference to Yermak responding to something that either Ambassador Volker or Charge Taylor said about Poroshenko a few minutes ago.

A Yes.

Q Explain that conversation again. I didn't quite catch the whole thing.

A So this was -- again, I did not go into detail
about the bulk of the conversation because that was about
negotiating tactics vis-à-vis the Russians.

As the conversation was moving away from that into a new
set of issues, according to Charge Taylor, based on his
notes, I didn't participate in the meeting, one of the issues
that Kurt wrote -- raised -- was the fact that there were a
series of investigations being opened by Ukrainian
authorities against former President Poroshenko. And Kurt
advised Yermak that was not a wise way forward for the
country.

Q And what did -- how did Yermak respond, according
to Charge Taylor?

A According to Charge Taylor, his response was: Oh, you
mean the types of investigations you're asking us to open
against Clinton and Biden?

Q And it would seem that as someone who was
responsible for anticorruption efforts that that's exactly
the message that you would be concerned about on this. Is
that accurate?

A As I've stated here previously, it's my belief that
it is inappropriate for us to ask another country to open up
an investigation against political opponents, whether it is
political opponents domestically in the U.S. context or, in
the case of countries like Ukraine or Georgia, opening up
selective prosecutions against perceived opponents of those
Q: And did you think it was appropriate for Vice President Biden to condition the release of the loan guarantees on the firing of Prosecutor General Shokin?

A: Prosecutor General Shokin was an impediment to the reform of the prosecutorial system, and he had directly undermined in repeated fashion U.S. efforts and U.S. assistance programs.

And so, because we had a strategic interest in seeing the Ukrainian prosecutor system reformed, and because we have a fiduciary responsibility for U.S. taxpayer dollars, it was the consensus view that Shokin needed to be removed so that the stated goal of reform of the prosecutor general system could move forward.

Q: And so when you mentioned that that connection was a quid pro quo, you're not saying that that was an improper quid pro quo?

A: I didn't say that it was a quid pro quo, but it is the case that both the IMF and the U.S. Government do use conditionality for assistance, whether it is macroeconomic assistance provided by the IMF or, in the case of our sovereign loan guarantees, we put conditionality that related to management of the gas system, meeting macroeconomic stability goals proposed by the IMF, social safety nets, and issues related to anticorruption. And that involved the
National Anticorruption Prevention Council, the National Anti-Corruption Bureau, as well as the prosecutor general's office.

MR. GOLDMAN: Okay. Mr. Malinowski has a few questions.
MR. MALINOWSKI: Thank you.
MR. GOLDMAN: One thing.
And just to be clear, what Vice President Biden was doing was very fundamentally different than any advocacy for a politically oriented investigation. Is that your assessment?
MR. KENT: The request for the dismissal of Shokin was related directly to him, to his actions in the diamond prosecutors case, in his undermining of our assistance to Ukraine.
MR. GOLDMAN: And that's distinct from your concerns that you've raised today about advocacy for an investigation into Biden or the 2016 election?
MR. KENT: That's how I would look at the two issues, as distinct, yes.
MR. MALINOWSKI: The distinction is between conditionality to advance the national interest and conditionality to advance a personal interest.
MR. KENT: One might say national interest versus partisan interest, yes.
MR. MALINOWSKI: I just have a couple of other subjects
that I wanted to ask you about. And thank you so much for your patience and precision today and for the integrity that you have shown in every part of your career, Mr. Kent.

You mentioned at one point a conversation with Fiona Hill in which she had relayed to you that the President had had phone conversations with Viktor Orban, the Prime Minister of Hungary, and Putin in which she told you that they had both, I think you said, talked down Ukraine to the President.

Can you say a little bit more about that? What do you recall of that?

MR. KENT: Well, to the best of my recollection, Fiona gave me a readout of both conversations at the same time. It was a phone call with President Putin on or about May 3rd. It was a meeting at the White House, so it was an in-person meeting on or about May 13th. The President's engagement of Orban included a 1-hour one-on-one, and then subsequently the Hungarian foreign minister, Szijjarto, and Ambassador Bolton joined.

MR. MALINOWSKI: In your judgement, what motivation would Orban and Putin have had to try to talk down Ukraine, Zelenskyy, to President Trump?

MR. KENT: Well, Putin's motivation is very clear. He denies the existence of Ukraine as a nation and a country, as he told President Bush in Bucharest in 2008. He invaded and occupied 7 percent of Ukraine's territory and he's led to the
death of 13,000 Ukrainians on Ukrainian territory since 2014 as a result of aggression. So that's his agenda, the agenda of creating a greater Russia and ensuring that Ukraine does not survive independently.

Viktor Orban's beef with Ukraine is derived in part to his vision, in my opinion, of a greater Hungary. And there are about 130,000 ethnic Hungarians who live in the trans-Carpathian province of Ukraine.

And ahead of next year, which is the 100th anniversary of the Treaty of Trianon, post-World War I, which resulted in more ethnic Hungarians living outside Hungary than inside, this issue of greater Hungary is at the top of Orban's agenda.

And so he has picked this particular issue and, for instance, blocked all meetings in NATO with Ukraine at the ministerial level or above because of this particular issue. So his animus towards Ukraine is well-known, documented, and has lasted now 2 years.

MR. MALINOWSKI: So both of these leaders would have an interest in the United States and the President of the United States ending or diminishing our support for an independent Ukraine?

MR. KENT: I would say that that's Putin's position. I think Orban is just happy to jam Ukraine.

MR. MALINOWSKI: Okay. All right, okay.
And then finally on the broader corruption issue. You know Ukraine extremely well. You were also responsible for anticorruption efforts in EUR for some time.

Imagine that the President of the United States were to call you in, President Trump, his predecessor, and that he said: George, look, I really, really believe this is a fundamental issue for the United States in Ukraine. The corruption is the obstacle to the transformation to this country that we seek. And I am prepared to use some leverage to do something about corruption in Ukraine, maybe even hold up a meeting, maybe even condition some assistance on the Ukrainians really taking this seriously. George, what would be the three or four or five top things we should be demanding, we should be asking the Ukrainians to do if we really wanted to get serious on this issue, what would be -- what would you say, what would be on your list?

MR. KENT: I think for Ukraine as well as other countries that have never prosecuted any large-scale crook, putting one of the big fish, so-called big fish in jail would be a great start as a signal that there isn't impunity. And that's, again, not unique to Ukraine. I think that's the biggest one.

I think demonstrating that there's integrity in the prosecutor general's office is absolutely critical, particularly for post-Soviet countries. There were two
Institutions that were the instruments of oppression in the Soviet Union. It was the prosecutor's office and the KGB or the secret police. And those two institutions in many of these countries are fundamentally still not reformed 28 years later.

So if you want to see the successful transformation of any of the post-Soviet countries, reform of the security service in Ukraine, that's known as the SBU (ph), and reform of the prosecutor general's office are the fundamental keys to transforming the country.

Mr. Malinowski: And some of these might require legislative changes, legal reforms?

Mr. Kent: Yes.

Mr. Malinowski: More than just go after this person or that person?

Mr. Kent: Yes.

Mr. Malinowski: To your knowledge, then -- well, let me ask you, if that is going to be your policy, if you're going to condition something that a country wants in exchange for that country doing something that we want in our national interest, it's logical that we would then tell that country, here are the things that we want you to do if you want to get your meeting, if you want to get your aid, or whatever it is worth conditioning, correct?

Mr. Kent: Correct.
MR. MALINOWSKI: Okay. To your knowledge, did any of the so-called "three amigos," if we can call them that, ever in their engagements with the Ukrainian authorities, especially in conversations around getting this meeting with the President or perhaps getting the aid restored, ever urge the Ukrainians to pursue those deeper anticorruption measures, reforms that you just referred to?

MR. KENT: What I referred to is strategic and institutional, and what they were working on was tactical. And that was what it would take to send a message to send a meeting.

MR. MALINOWSKI: And it wasn't reform the security services, it was not reform the prosecutor's office, it was one investigation -- well, two investigations, 2016 and the Biden --

MR. KENT: Signal of intent to open an investigation.

MR. MALINOWSKI: Which is not anticorruption.

MR. KENT: In and of it itself is not anticorruption, no.

MR. MALINOWSKI: It is basically selective prosecution or investigation.

MR. KENT: That was the phrase I used, yes.

MR. MALINOWSKI: And you've worked in and around a lot of dictatorships in your life, Uzbekistan, Thailand now, you know, not Ukraine, but certainly a country struggling to
build democracy. Is it not a very common feature of authoritarian or semi-authoritarian regimes that they selectively prosecute people for corruption for political purposes?

MR. KENT: Unfortunately that is the case, yes.

MR. MALINOWSKI: The people who you know in Ukraine who are dedicated to fighting corruption, the activists, the reformers, and who saw the United States of America as a champion of their cause, do they see the United States of America as a champion of their cause today?

MR. KENT: I still believe they count on the U.S. as their best hope to get through very difficult times, yes.

MR. MALINOWSKI: Thank you.

MR. GOLDMAN: Before I go to Chairman Engel, I just have two quick questions for you.

BY MR. GOLDMAN:

Q Are you familiar with someone by the name of Sam Kislin or Semeon (ph) Kislin?

A I am familiar with the name only recently and only based on what I've read.

Q You have no individual or other than press reports you're not aware of this individual?

A Correct.

Q And you, much earlier today, I think you were describing what may have been a conversation that you had
with former Ambassador Yovanovitch about the July 25th call.
A Right.
Q And I think you said that you may have discussed
some aspects of it and that you don't recall what her
response was. Is that accurate?
A To the best of my recollection. And if there is
other information that people want to provide context to try
to trigger additional information, I'm open to that.
Q So you -- it appears to us at least as if, A, you
took a lot of notes about these events, and, B, you may have
reviewed them prior to coming here today to testify. Is
that --
A That's accurate. I would not have -- no, I did not
review them before coming to testify. In order for the
Department to respond to the subpoena for document
collections I went through my notebooks to find any notes
from meetings that would be responsive to those -- that
document request. That's why I reviewed them, as
information.
Q Did you have any notes from your discussion with
Ambassador Yovanovitch about the July 25th call?
A I did not and would not because that would have
happened informally, not in the office.
Q So if she has a different recollection as to what
you guys discussed, do you think that that --
That's possible. She could have been much more specific about a conversation we had and the issues we've been discussing. My timeline starts several years earlier than hers. So I do not rule that out.

MR. GOLDMAN: Okay.

Chairman Engel, would you like to?

MR. ENGEL: Yeah. Well, I guess in closing I want you to know I stumbled in here before they told me Clark Kent was here. So I thought he was you.

But, anyway, thank you so much for your testimony. And thank you for what you -- not only for what you're doing now, but for what you've done through the years.

It's really so critical that we learn the facts and your detailed, very careful testimony today, it's just so important, so important for our country, so important. And it should also not be used by the administration or the Department of State to retaliate against you or anybody else.

I have been very much chagrined over the fact of the way employees at the Department of State have been treated for the past couple of years. Morale is down. It's just unconscionable. And I think it takes people like you who have not only had commendable records through the years, but who have the guts to come in and speak from the heart. It really helps all of us moving forward.

And of course we will move forward. We have to move
forward. And what you're doing, sir, is a tremendous accomplishment and tremendously important for the State Department and for the country as a whole.

I know that Chairman Schiff already explained on the record earlier today why any retaliation against you or anybody else would be unlawful and just wrong. Your service to our country for nearly three decades is commendable and I hope it continues without harassment or undue interference from the Department you have honorably served.

So let me just again thank you as the chairman of the House Foreign Affairs Committee, thank you personally, and let you know that I and the Foreign Affairs Committee will hold the Department accountable to treat employees properly and with the respect you deserve.

Thank you.

MR. KENT: Thank you, Mr. Chairman.

MR. GOLDMAN: All right. I believe that's it from the majority, we used 20 minutes in this record. So I yield to the minority if you would like any further questions.

MR. ZELDIN: I know we stepped out. Did we have -- did our side have a round while we were out voting or was that the majority the whole time?

For the record, one thing of concern is Chairman Schiff appropriately earlier made a disclaimer to all Members and all staff that we are in a deposition, that deposition rules
apply, and that there should not be any leaks. This is
something that the minority side takes extremely seriously,
and it has been disappointing that during the brief time that
we stepped out to go vote that we are reading on Twitter
substance from today's deposition being cited by name to
Chairman Schiff and to Gerry Connolly.

It's really important that if the deposition rules
apply, where Members are not allowed to talk about the
substance of what is discussed today, that that is applied
equally to both the majority and minority, and I want to
state that for the record.

We are also still waiting a ruling we started two
depositions ago with a request -- actually it was the second
deposition -- a request as to what rule is governing this
entire process. We still have not received an answer as to
what House rule governs any of this process.

The start of the last deposition we had a phone call
with the House parliamentarian which started with a question
of what House rule is governing any of this entire process.
We are reiterating that we still have not received an answer.
The minority whip, Steve Scalise, just made that request on
the House floor and was not provided an answer.

And we would be very interested in knowing, and if that
answer can't be provided now, at the start of tomorrow
morning's deposition, what House rule is governing this
entire process for this impeachment inquiry.

MR. BITAR: For the record, your interest is noted.

MR. JORDAN: Mr. Secretary, let me just go back. So on the July 25th call between President Trump and President Zelenskyy, just to walk through it again, you were not on that call.

MR. KENT: Correct.

MR. JORDAN: Lieutenant Colonel Vindman was.

MR. KENT: Yes.

MR. JORDAN: And at some point subsequent to that call you were on a call with the lieutenant colonel or you had some kind of meeting with him?

MR. KENT: It was a call and he gave me a very limited readout, correct.

MR. JORDAN: Okay. And on that limited readout on that call with the lieutenant colonel did he tell you not to talk about what you discuss with anyone else?

MR. KENT: I don't recall how he characterized it. It's just that he said that the information obviously was of very sensitive nature and that's why he could not give me the normal readout of the full content that he normally did.

MR. JORDAN: And the call you had with Lieutenant Colonel Vindman, was that the 26th, the 27th? What day with a that?

MR. KENT: It was a subsequent day. I do not -- I
cannot say for certain which day he called. Normally I kept
my notes in a notebook. On this particular occasion I
grabbed a piece of paper and started writing. So it was not
in a sequential notebook day by day.

MR. JORDAN: Was it within a week or was it in August?

MR. KENT: It was within a week, to the best of my
recollection.

MR. JORDAN: So most likely some time in July?

MR. KENT: If the call happened -- the earliest it could
have been was the 26th. To the best of my recollection,
there were several days. So my guess is the 27th. There's a
weekend in there somewhere. I'm not sure which the weekend
was. So I would say the last week of July would be the best
I could bound it.

MR. JORDAN: And then you discussed what Lieutenant
Colonel Vindman told you with whom?

MR. JORDAN: I cannot recall the exact content,
particularly since I didn't get as much content as I just got
a tonal poem. So I can't recall directly.

MR. JORDAN: Did the lieutenant colonel tell you, look,
I'm sharing this with you but no one else, or did you get the
impression that he had shared this information with other
people maybe in the State Department or other people in our
government or anyone else?

MR. JORDAN: I am not aware of who else he might have
given a readout to. In the general course of readouts of
that nature, I would be the natural person for him to give a
readout at the State Department.

MR. JORDAN: Is the fact that he -- okay. So normally
you would get a readout. So was this the normal process that
Lieutenant Colonel Vindman would let you know about this call
or was this somehow different?

MR. KENT: It was the normal process. He had given me a
similar readout for the April 21st call. What was different
was that -- his concern that he did not feel at liberty to
share all the substantive details of the call. That was what
was different. But the readout, that he was giving me a
readout, was the normal procedure.

MR. JORDAN: And why wouldn't he share everything with
you if it's the normal process that you get briefed, you get
a readout of calls between the President of the United States
and foreign heads of state in your area, your area of the
world that you're responsible for and that you deal with?
And on the April call he gave you a full readout. Is that
right?

MR. KENT: Correct, although it was a short,
nonsubstantive conversation.

MR. JORDAN: Okay. Well, were there other occasion
where Lieutenant Colonel Vindman gave you a readout from
calls between President Trump and foreign heads of state?
MR. KENT: To the best of my knowledge, these were the only two calls between President Trump and a head of government of the six countries for which I have responsibility.

MR. JORDAN: Got it. Got it. So you have these two. And you got a full readout from the April 21st call or April call, but you didn't --

MR. KENT: In July, correct.

MR. JORDAN: And did you find that unusual?

MR. KENT: He made clear his extreme discomfort that there was discussions in the call that were -- what he described at the beginning was the majority of the call was very sensitive and he would not be giving me a full readout.

MR. JORDAN: And, well, I guess I'm trying to figure out if he's supposed to give you a readout, why didn't he give you the full readout?

MR. KENT: Again, all I can describe is his discomfort in sharing what he shared without -- with his disclaimer right up front that he was not going to give me the full normal readout.

MR. JORDAN: Okay. Thank you.

MR. ZELDIN: In an earlier round we were discussing individual cases where the United States Government had spoken with the Ukrainian Government with regards to cases under the jurisdiction of Ukraine. You cited one case
specifically as possibly the highest profile case that you
were tracking.

MR. KENT: After --

MR. ZELDIN: Or one of highest profile cases?

MR. KENT: For that period of time, the second half the
2018, yes.

MR. ZELDIN: Were any of these conversations with the
Ukraine Government about corruption cases that we felt
Ukraine shouldn't prosecute?

MR. KENT: I'm not aware of us ever telling Ukraine not
to prosecute a corrupt individual or a person believed to
have engaged in corruption, no.

MR. ZELDIN: Is it true that Ukraine prosecuted cases
that were classified as a corruption case but were
inappropriately classified as such?

MR. KENT: I will give you a specific example. The
National Agency to Prevent Corruption was set up to review
the asset declarations of the initially top 1,000 and then
they expanded to even more Ukrainian officials.

In the first year of their operations they went after
two individuals. One, the reformist head of customs who paid
herself an $18 bonus on Women's Day when all the women in her
office got it. And they also had launched an investigation
of Serhiy Leschenko, the aforementioned member of parliament
and former investigative journalist, who purchased an
apartment. And those were the only two investigations that they did, and they were both reformers who were also critics of people who were not engaged in reform.

And there were dozens of billionaire oligarchs and other individuals, and there were no investigations of people whose reputations were that they had engaged in corruption for years.

MR. ZELDIN: So that I understand your testimony correctly, you cited two cases where two individuals were accused of corruption but shouldn't have been.

MR. KENT: As far as I recall, those are the only two individuals or officials of Ukraine that the National Agency to Prevent Corruption went after based on the asset declarations of high ranking officials and members of parliament.

MR. ZELDIN: And to be clear, you just used the word Ukrainian officials. Is there a different answer with regards to Ukrainian citizens or when you said officials did you mean Ukrainians at large?

MR. KENT: I was just trying to give a very specific example for a new institution that we initially helped stand up to help contain corruption based on asset declarations. And instead of using the asset declaration system to identify those who may have used public office to enrich themselves they went after two reformists who were noted critics of the
lack of reform in certain parts of the Ukrainian Government.

MR. ZELDIN: And what was the timeframe for this answer?

MR. KENT: I believe the NAPC, as it was known, was
stood up in 2015, and so this would have been 2015. 2016.

MR. ZELDIN: I understand that in a recent round you
were answering questions based off of information that you
obtained from others related to aid from the United States to
Ukraine and the allegation of a quid pro quo. Do you have
any firsthand knowledge of United States aid to Ukraine ever
being connected to the opening of a new investigation?

MR. KENT: I do not have direct knowledge, no.

MR. ZELDIN: Thank you. That's it.

MR. GOLDMAN: Is that it? All right.

Two more things, 2 minutes.

BY MR. GOLDMAN:

Q I just wanted to touch upon your -- some of the
documents that you have been discussing today.

Do you have an understanding as to whether there may be
emails or other documents in the custody of the State
Department that reflect expressions of concern about some of
the topics that we discussed today, separate and apart from
your memos to file or other emails that you have referenced?

A I would have imagined that there are quite a number
of emails, yes.

Q You discussed having two specific conversations
with Fiona Hill, one in May and one you remember less of in July. And obviously you had other conversations with Lieutenant Colonel Vindman and Tim Morrison.

Were you ever aware of whether there was a separate either individual or individuals at the National Security Council who were providing information to the President on the Ukraine matter outside of ordinary channels?

A I did not hear about it and have no information about that, no.

Q Are you familiar with someone by the name of Kash Patel?

A I am not aware that I've ever met anybody by that name, no.

Q Have you ever heard that name?

A I think Patel is a fairly common South Asian last name.

Q How about Kash?

A I -- less common. I do not -- I cannot imagine -- or I can not recall any time where I was either in the presence of or heard a reference to Kash Patel.

MR. GOLDMAN: Okay. Thank you.

I think we are done. And thank you very much, Mr. Kent, for a long day. Really appreciate it.

And we're adjourned.

[Whereupon, at 7:42 p.m., the interview was concluded.]