





Excerpts from Joint Deposition

Catherine M. Croft Special Advisor for Ukraine, Department of State

Conducted on October 30, 2019

House Permanent Select Committee on Intelligence House Committee on Oversight and Reform House Committee on Foreign Affairs

- *Q:* When in July it was first, you know, sort of one of the meetings you said was blown up by the news that there was a hold on the military assistance. This is now in 2019. I think you made a comment along the lines that it was inevitable that people were going to find out about this. Is that right?
- A: That was my assessment at the time, yeah.
- *Q:* News of this kind that there was a hold on this military assistant wasn't something that's going to be kept bottled up with as many people knowing about it as they did?
- A: That's correct, yeah.
- *Q:* And, in fact, I think you said that word of that got to the Ukrainians, and two Ukrainian officials from the embassy reached out to you quietly to ask you about this hold?
- A: That's right.

In May 2019, Ms. Croft discussed with Ambassador Bill Taylor her concerns that if "Biden was going to be a credible rival for" President Trump, "that might push him to change the policy on Ukraine." (Page 46-47, 48-49)

- Q: When Ambassador—during your time in Kyiv in June, did you have any conversations with Ambassador Taylor about the narratives that were playing out in the media?
- A: I had a conversation with Ambassador Taylor before he went to Ukraine as he was considering taking the position.
- Q: And can you describe for us that conversation?
- A: As he's—as I understand from media reports that he has testified before, he had come to the Department with concerns that the U.S. policy on Ukraine might change and wanted to get the Department's views on that. I sat down with him and shared my very frank assessment that the White House was not likely to change its policy on Ukraine except in the event that the President viewed it the—that Biden was going to be a credible rival for him in the upcoming election, and that he—that furthering the narrative that Russia was for the Republicans and Ukraine was for the Democrats would be in his interest, and that might push him to change the policy on Ukraine. But I said that, otherwise, I saw no reason that our policy would change.
- Q: And were you aware at that—well, when was that meeting with Ambassador Taylor, do you recall?
- A: That would have been in May, very shortly before I headed out to Kyiv.
- Q: So just before May 29th?
- A: Yes.

. . .

- Q: And so, can you explain how the Biden candidacy would potentially—how you thought the Biden candidacy would potentially impact the President's views on Ukraine, as you explained it to Ambassador Taylor?
- A: Yeah. This was just sort of my speculation, as somebody who has watched Ukraine for a while and as somebody who had worked in the White House, but that my understanding was that, you know, in an attempt to—that it seemed logical to me that in an attempt to counter the narrative about Russian support for the Trump administration in the 2016 election or Russian interference in the 2016 election that—that it would be useful to shift that narrative by shifting it to Ukraine as being in support of the Clintons.
- Q: And how would that affect the President's policy views towards Ukraine?
- A: The way I thought about it was that painting sort of Ukraine as being against Trump would help distract from a narrative or balance out a narrative that he had gotten help in the 2016 election from Russia.

Ms. Croft was "trepidatious" about accepting a position as a special assistant to Ambassador Kurt Volker because "it was possible that the Trump administration would choose to change its policy to suit domestic politics." (Page 44-45)

- Q: And how, if at all, did these narratives that were being played out in the media, through Mr. Giuliani and others, affect your thinking on whether you were going to take this job?
- A: They made me certainly a lot more trepidatious.
- Q: Why?
- A: I knew from my experience on the Ukraine desk and from working at the NSC that, like I said before, the nature of the corruption in Ukraine makes it a particularly difficult country to work on, because it is difficult to know at any given time what interests are behind what actions. But one of the reasons that I ultimately agreed to take the job was because I felt I was probably better positioned than most to help and advise the Department to manage those tricky waters, and because I didn't want anyone else to get exposed to what I'm doing today.
- Q: What do you mean by that? You took one for the team?
- A: Yes.
- Q: What were you concerned about others having to deal with?
- A: That I was watching those narratives play out in the media, and I thought at the time that it was possible that the Trump administration would choose to change its policy to suit domestic politics.

In speaking with Ambassador Kurt Volker about Rudy Giuliani, Ms. Croft "thanked him for keeping me out of that mess." (Page 70, 120)

- Q: Did you have any discussions with Ambassador Volker about the challenges presented by the Giuliani involvement?
- A: We had one discussion in which I thanked him for keeping me out of that mess, and then, you know, I think another, you know, a couple times he mentioned sort of a need to get this Giuliani line of effort, sort of, off the table, so we can get on with the business of our actual policy. Those weren't his exact words, but that would have been the spirit of—
- Q: Did he ever articulate to you his strategy with that?
- A: Not very specifically. Like I said, I had thanked him for keeping me out of that mess.
- Q: Understood. You said that you, at some point, thanked Ambassador Volker for keeping you out of the mess, I think is your quote, related to Rudy Giuliani. Is that accurate?
- A: Yeah, I don't know if I specifically used the word "mess," but just general business, yes, with Giuliani.

Ukrainian officials raised concerns about the hold on security assistance "very early on." (Page 97-98, 86-87, 100-101)

- Q: When in July it was first, you know, sort of one of the meetings you said was blown up by the news that there was a hold on the military assistance. This is now in 2019. I think you made a comment along the lines that it was inevitable that people were going to find out about this. Is that right?
- A: That was my assessment at the time, yeah.
- Q: News of this kind that there was a hold on this military assistant wasn't something that's going to be kept bottled up with as many people knowing about it as they did?
- A: That's correct, yeah.
- Q: And, in fact, I think you said that word of that got to the Ukrainians, and two Ukrainian officials from the embassy reached out to you quietly to ask you about this hold?
- A: That's right.
- Q: Now, you said that these two Ukrainian Embassy officials and I'm not going to ask you to identify them either you understood they had no interest in this becoming public. Is that right?
- A: That's correct. That's correct.
- Q: And why would they not want this to become public?
- A: Because I think that if this were public in Ukraine it would be seen as a reversal of our policy and would, just to say sort of candidly and colloquially, this would be a really big deal, it would be a really big deal in Ukraine, and an expression of declining U.S. support for Ukraine.
- Q: So Ukraine had every interest in this not coming out in the press?
- A: As long as they thought that in the end the hold would be lifted, they had no reason for this to want to come out.
- Q: As long as they thought that they could work through whatever was causing the hold, they wanted this to remain out of the public attention?
- A: Exactly. (pp. 97-98)
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- Q: There was an August 29th Politico article talking about it. Do you remember if it had been public before then?
- A: I think it was sort of known among the circles that do Ukraine security assistance, sort of gradually, as I said. From July 18 on it was sort of inevitable that it was eventually going to come out.
- Q: I should correct myself, the article was on August 28th. Just for accuracy purposes, I'll add that. And do you know if any Ukrainians knew about this or was this primarily U.S. officials?
- A: Two individuals from the Ukrainian Embassy approached me quietly and in confidence to ask me about an OMB hold on Ukraine security assistance.
- Q: And when was that?
- A: I don't have those dates.

- Q: But it was before the August 28th time period, do you think?
- A: I believe it was, yes.
- Q: Okay. And these are—and what did you—what do you remember telling these folks?

A: I remember telling them that I was confident that any issues in process would get resolved. And I knew from my understanding of having worked with these individuals for a long time that they had no interest in this information getting out into the public.

- Q: Okay. And did they call you together or was it two separate calls?
- A: Two separate.
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- Q: Do you have an approximate estimation of how far apart these two conversations were?
- A: With the two different Ukrainians? I thought it was roughly a week. But again, I can look up those dates and get back.
- Q: Okay. And the last question is, whether you know the date or not of when it became public, do you remember it becoming public?
- A: I honestly don't specifically remember when it was reported in the public.
- Q: But you remember at some point it became public?
- A: Yes, yes, I do remember that.
- Q: So do you recall how far before it became public you had these conversations, the second of the conversations?
- A: I remember being very surprised at the effectiveness of my Ukrainian counterparts' diplomatic tradecraft, as in to say they found out very early on or much earlier than I expected them to.
- Q: In light of when it became public?
- A: In light of when it became public.

OMB placed a separate, earlier hold on Javelin missiles because Mick Mulvaney was concerned that "Russia would react negatively to the provision of Javelins to Ukraine," despite the fact that "all of the other policy agencies were in support." (Page 26-27, 51-52)

- Q: One thing I just want to go back to before I move ahead to your time in Kyiv, the Javelins—the provision of the Javelins in 20—late 2017, early 2018, do you recall whether there was ever a hold or a freeze put on the Javelin provision?
- A: There was a PCC process, and there was one hold—sorry, at the PC level, excuse me, the principals committee, and there was one agency that put a hold on that decision.
- Q: And which was that agency?
- A: OMB.
- Q: Did you understand why?
- A: I understood the reason to be a policy one.
- Q: What was the policy one?
- A: In a briefing with Mr. Mulvaney, the question centered around the Russian reaction.
- Q: What was the concern about the Russian reaction?

- A: That Russia would react negatively to the provision of Javelins to Ukraine.
- Q: What was the reaction to that concern from the other agencies?
- A: I don't know that I can provide that information in an unclassified setting.
- Q: Okay. Is there any way to provide broadly?
- A: I can broadly say that all of the policy agencies were in support.
- Q: And you mean in support of providing the Javelins?
- A: Correct.

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- Q: Going back to the Javelins, it was the consensus of U.S. policymakers within the NSC and State Department that the Javelins should be provided. The lone objector was OMB. Is that right?
- A: The lone objector in the paper PC on the Javelin decision was OMB.
- Q: So it was the view of—apart from OMB, it was the unanimous view that providing Javelins to Ukraine would help Ukraine in its defense against Russia and would, therefore, be in U.S. national security interest?
- A: Correct.
- Q: If we didn't provide Javelins to Ukraine, would that serve Russia's interest?
- A: In my opinion, yes.

The hold was later lifted after NSC officials briefed Mr. Mulvaney that "the agencies were in agreement about the policy moving forward." (Page 28-29)

- Q: How—you said that the hold was a week or two. How—what was the process for the hold to be lifted? What did you understand the reasoning to be?
- A: I was asked, along with my colleague, Richard Hooker to go brief Mick Mulvaney on the decision. We did so, and then within a day or two, the hold was lifted.
- Q: And can you, without getting into classified material, can you explain what your broad message was to Mr. Mulvaney?
- A: Broadly, the message was that the policy process had worked, that the potential issues on all fronts had been thoroughly discussed and sussed out, and that had the agencies were in agreement about the policy moving forward—or about their recommendation to the President.
- Q: Did you address the concerns that he had expressed about Russia's reaction to this policy change?
- A: Yes.

When serving at the NSC, Ms. Croft "received multiple calls from lobbyist Robert Livingston who told me that Ambassador Yovanovitch should be fired." (Page 14-15)

A: During my time at the NSC, I received multiple calls from lobbyist Robert Livingston who told me that Ambassador Yovanovitch should be fired. He characterized Ambassador Yovanovitch as a, quote, "Obama holdover," end quote, and associated with George Soros. It was not clear to me at the time, or now, at whose direction or at whose expense Mr. Livingston was seeking the removal of Ambassador Yovanovitch. I documented these calls and told my boss, Fiona Hill, and George Kent, who was in Kyiv at the time, I am not aware of any action that was taken in response.

Ambassador Yovanovitch was "an extraordinarily competent and skillful diplomat, and a pleasure to work for and with." (Page 20)

- Q: And what was your assessment of her competence and capabilities as a diplomat?
- A: I assessed her to be an extraordinarily competent and skillful diplomat, and a pleasure to work for and with.
- Q: What did you understand the allegations about George—related to George Soros to be?
- A: At the time, conspiracy theories were floating in the media about George Soros, including allegations that Fiona Hill was affiliated, in some fashion, with George Soros. So I understood this to be part of a broader narrative used to malign public officials that somebody of some interest disagreed with.
- Q: And you indicated the conspiracy theory. Did you understand that there was any validity to any of the concerns that Mr. Livingston raised?
- A: Not that I was aware of, no.