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: P. MICHAEL MCKINLEY

Wednesday, October 16, 2019  
Washington, D.C.

The interview in the above matter was held in Room HVC-304, Capitol Visitor Center, commencing at 10:07 a.m.

Appearances:

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

For the COMMITTEE ON FOREIGN AFFAIRS:

For P. MICHAEL MCKINLEY:

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THE CHAIRMAN: Alrighty, let's come to order.

And before we begin, I just want to -- excuse me, members. Before I begin, I just want to confirm that all of the members and staff in attendance are either members and staff of the three committees -- the Oversight Committee, the Intel Committee, or the Foreign Affairs Committee. Is anyone present who is not a member or staff of those committees?

Okay. Seeing no hands.

Good morning, Ambassador McKinley, 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 voluntary transcribed interview is being conducted as part of the impeachment inquiry. We thank you for complying voluntarily with the committee's request on short notice that you provide testimony relevant to the inquiry in light of your resignation from the State Department on Friday, October 11.

Ambassador McKinley has served our country as a distinguished diplomat and four-time ambassador since 1982. Most recently, prior to resigning, he served since November 2018 in a unique role as senior advisor to the Secretary of State, a position reflective of his seniority, experience, and role as dean of the career Foreign Service.
Ambassador McKinley, we will ask you to introduce
yourself and your career experience more fully at the outset
of today's interview for the benefit of the record and all of
those present.

Given your unique position and vantage point, we look
forward to hearing your testimony today, including your
knowledge of the sudden removal of Ambassador to Ukraine
Yovanovitch; the treatment of Ambassador Yovanovitch, Deputy
Assistant Secretary of State George Kent, and potentially
others; and the Department's response to congressional
investigations, including the impeachment inquiry.

We will also seek your perspective on evidence that has
come to light in the course of the inquiry, including the
President's July 25, 2019, call with Ukrainian President
Zelensky, as well as the documentary record about efforts
before and after the call to get the Ukrainians to announce
publicly investigations into the two areas President Trump
asked Zelensky to pursue: the Bidens and the conspiracy
theory about Ukraine's purported interference in the 2016
election.

Finally, given your experience and to restate what I and
others have emphasized in other interviews, Congress will not
tolerate any reprisal, threat of reprisal, or attempt to
retaliate against any U.S. Government official for testifying
before Congress.
It is disturbing that the State Department, in coordination with the White House, has sought to prohibit Department employees and discourage former employees from cooperating with the inquiry and has tried to limit what they can say. This is unacceptable. Thankfully, consummate professionals have demonstrated remarkable courage in coming forward to testify and tell the truth.

Before I turn to committee counsel to begin the interview, I invite the ranking member or, in his absence, a minority member of the Foreign Affairs or Oversight Committees to make any opening remarks.

MR. JORDAN: Thank you, Mr. Chairman.

Ambassador, thank you for appearing here today. Thank you for your service to our country.

On September 24th, Speaker Pelosi unilaterally announced that the House was beginning a so-called impeachment inquiry. On October 2nd, Speaker Pelosi promised that this so-called impeachment inquiry would treat the President with fairness. However, Speaker Pelosi, Chairman Schiff, and the Democrats are not living up to that basic promise. Instead, Democrats are conducting a rushed, closed-door, and unprecedented inquiry.

Democrats are ignoring 45 years of bipartisan procedures designed to provide elements of fundamental fairness and due process. In past impeachment inquiries, the majority and
minority had co-equal 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 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's so-called impeachment inquiry has none of these guarantees of fundamental fairness and due process.

Most disappointing, Democrats are conducting this impeachment inquiry behind closed doors. We are conducting these deposition interviews in a SCIF, but Democrats are clear: These are unclassified sessions. This seems to be nothing more than hiding this work from the American people. If Democrats intend to undo the will of the American people just a year before the next election, they should at least do so transparently and be willing to be accountable for their actions.

With the chairman's indulgence, our counsel has a couple of points we'd like to raise on procedure as well.

MR. CASTOR: Just, respectfully, we request copies of the subpoenas, certificates of service. We don't know whether these subpoenas have been authentically signed or
stamped. The House Clerk, House counsel requires that the chairman sign these personally in ink, and the Clerk requires -- at least when we were in the majority for years, the Clerk requires that we comply with all the rules.

We request sufficient notice. We need to prepare our members. And so, in the minority, we don't always have the lead time that you do, and we don't know your queue. And so we just ask for a little bit more notice for some of these witnesses so we can prepare in a meaningful way and so we can participate.

And, you know, the word "consultation" is different from "notice." It's a different word; it has a different meaning under House rules. And so, to the extent there is a 3-day consultation requirement, we would just ask the majority to honor that.

Thank you.

THE CHAIRMAN: I thank my colleagues. We can have the opportunity to discuss these issues without taking up the witness's time.

The record should reflect, however, that Republican members and staff are present and able to ask all the questions they want and have been for all of the prior interviews, notwithstanding what the President and many of his supporters have been representing publicly. And that will be the case today as well.
And, with that, I recognize Mr. Goldman.

MR. MEADOWS: Mr. Chairman? Mr. Chairman, I have a parliamentary inquiry.

Obviously, we've talked about confidentiality in here. And my inquiry is, I am assuming that, based on the releases that some of my Democrat colleagues were quoted in various newspaper articles yesterday with specific facts that came from the hearing yesterday, that those releases are not deemed a breach of House rules. Is that correct?

THE CHAIRMAN: I would just say to my colleague, who has been present for many of these interviews, as you know, I have repeatedly admonished members not to discuss what takes place during the depositions.

We have had a problem with members coming in in the middle of depositions and leaving before they're concluded who may not have been present for the advisories that they're not to discuss what takes place. But members should not be discussing what takes place during the depositions.

MR. MEADOWS: So is that a violation of the House rules?

THE CHAIRMAN: I --

MR. MEADOWS: I mean, I just need to be -- listen, if we're going to play by the same set of rules, Mr. Chairman, we need to know what is fair for everyone. And I think that you will attest that there has not been a leak of information from the Republican side that would be to our advantage
written in any of the periodicals.

THE CHAIRMAN: I could certainly never attest to that, Mr. Meadows. And I think quite to the contrary, quite to the contrary --

MR. MEADOWS: So is it a violation of House rules or not, Mr. Chairman?

THE CHAIRMAN: Well, I will allow you to consult House rules. But I will say once again --

MR. MEADOWS: Well, the House rules would say that, indeed, you're the one that has to rule on that. And so I'm asking you to rule on it.

THE CHAIRMAN: And I have stated, if you were here, I think, yesterday as well, members should not be discussing what takes place during the depositions.

And so that is my response to your parliamentary inquiry, and I'm now recognizing Mr. Goldman.

MR. MCCAUD: Can I make an opening statement, Mr. Chairman?

THE CHAIRMAN: We were going to limit it to one opening --

MR. MCCAUD: And I'll keep it very short. I want to echo Mr. Jordan's --

THE CHAIRMAN: Well, just -- I will allow it, Mr. McCaul, but, in the future, one opening statement per side.
MR. MCCAUL: Okay.

Well, I'd like to echo the same concerns about the -- and I'm disappointed that the Speaker didn't proceed with a resolution so that this could be more transparent and open. I, like my colleague here, share the concerns. We need clarification on the rules that apply to confidentiality. And, specifically, we've abided by these rules, as the chairman has requested.

There's a tweet that came out yesterday from Jeremy Herb that says: State Department Deputy Assistant Secretary George Kent told lawmakers that he was told by his supervisor to lay low after he raised complaints about Rudy Giuliani's efforts in Ukraine undermining U.S. foreign policy, according to Representative Gerry Connolly on House Oversight.

So do the rules apply or not? And what are the sanctions to violation of the rules?

THE CHAIRMAN: I thank the gentleman for his opening statement.

We're going to now move to the interview of the witness.

MR. MCCAUL: I guess that's a nonanswer.

THE CHAIRMAN: Well, you said you wanted to make an opening statement, not frame a parliamentary inquiry.

MR. MCCAUL: I would like to know, from the chairman's point of view, what the rules are.

THE CHAIRMAN: Mr. Chairman, as I just said to your
colleague, I have repeatedly -- now, you haven't been here
for all the interviews, but I have repeatedly admonished the
members not to discuss what takes place during the
depositions, and I will admonish them again today not to
discuss what takes place during the depositions.

I will say this, though, to my colleagues, on the point
of the investigation, which is a distinguishing factor which
my colleagues seem to be willfully ignoring. Unlike
Watergate and unlike the Clinton impeachment, there is no
special counsel who has investigated the President's
misconduct vis-a-vis Ukraine. We are, therefore, forced to
do it.

The special counsel in the Clinton impeachment inquiry
and the special counsel in the Watergate investigation did
not conduct their investigations in open session. Congress
did after it was handed to them. And, therefore, you cannot
properly analogize this to either one of those prior
impeachments.

Mr. Goldman, you are recognized.

MR. MEADOWS: Mr. Chairman, if you're going to make --

THE CHAIRMAN: There will be --

MR. MEADOWS: If you're going to make analogies to
precedent, let's go ahead and make sure for the record that
we're accurate with that reflection. I mean, when you start
talking about special prosecutors and what happened and
didn't happen, you, again, are willfully selecting facts and
omitting others. So if we want to have a debate and a
colloquy about what happened and what didn't happen --

THE CHAIRMAN: Mr. Meadows --

MR. MEADOWS: -- let's do that, Mr. Chairman.

THE CHAIRMAN: Mr. Meadows, I allowed two opening
statements on your side.

MR. MEADOWS: Well, but then you opined --

THE CHAIRMAN: I have allowed myself two opening
statements, and I'm now recognizing Mr. Goldman.

MR. GOLDMAN: Thank you, Mr. Chairman.

This is a voluntary transcribed interview of Ambassador
Michael McKinley, conducted by the House Permanent Select
Committee on Intelligence, pursuant to the impeachment
inquiry announced by the Speaker of the House on
September 24th.

Ambassador McKinley, could you please state your full
name and spell your last name for the record?

MR. MCKINLEY: Peter Michael McKinley. I go by Michael,
Mike. McKinley, M-c-K-i-n-l-e-y.

MR. GOLDMAN: Thank you.

Now, along with the other proceedings in furtherance of
the inquiry, this transcribed interview is part of a joint
investigation led by the Permanent Select Committee on
Intelligence, in coordination with the Committees on Foreign
Affairs and Oversight and Reform.

In the room today are majority staff and minority staff from all three committees, as well as members from the majority and minority from all three committees.

This is a staff-led interview, but members, of course, may ask questions during their allotted time, as has been the consistent format for the inquiry thus far.

My name is Daniel Goldman. I'm the director of investigations for the HPSCI majority staff. And I want to thank you very much for coming in today for this interview on such short notice. We greatly appreciate that you are willing to speak with us.

I will now let my counterparts from the minority introduce themselves.

MR. CASTOR: Good morning, Ambassador. Thank you for being here today. I appreciate your cooperation. My name is Steve Castor, staffer with the Republican -- the Committee on Oversight and Government Reform.

MS. CASULLI: Good morning, Ambassador. I'm Laura Casulli, deputy general counsel for the HPSCI minority.

MR. KOREN: Professional staffer with House Oversight Republicans.

THE CHAIRMAN: What's your name, sir?

MR. KOREN: Michael Koren.

MR. GOLDMAN: Now, this transcribed interview will be
conducted entirely at the unclassified level. However, the transcribed interview is being conducted in HPSCI secure spaces and in the presence of staff with appropriate security clearances. We also understand that your attorneys have the appropriate security clearance as well.

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

Moreover, EO-13526 states that, quote, "in no case shall information be classified, 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, please inform us of that, and we will adjust accordingly.

Today's transcribed interview is not being taken in executive session, but because of the sensitive and confidential nature of some of the topics and materials that will be discussed, access to the transcript of the transcribed interview will be limited to the three committees in attendance. You and your attorney will have an opportunity to review the transcript as well.
Before we begin, I'd like to go over some of the ground rules for this interview.

The way that this interview is conducted will proceed as follows: The majority will be given 1 hour to ask questions; then the minority will be given 1 hour to ask questions. Thereafter, we will alternate back and forth between majority and minority in 45-minute rounds until all questioning is complete.

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

You are permitted to have an attorney present during this interview, and I see that you have brought two. At this time, I would like to ask counsel to state their appearances for the record.

MR. BELLINGER: My name is John Bellinger at Arnold & Porter.

MR. CELLA: My name is John Cella, also at Arnold & Porter.

MR. GOLDMAN: There is a stenographer taking down everything that is said and every question that's asked and every answer you give in order to make a written record for this interview. For the record to be clear, please wait until the questions are completed before you begin your answer, and we will ask that all members and staff wait until you finish your answers before asking another question.
The stenographer cannot record nonverbal answers such as "uh-huh" or shaking of the head, so it's important that you answer each question 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 in your response, please let us know. Also, if you do not know the answer to a question or cannot remember, simply say so.

We understand that you have received a letter from the State Department outlining some general concerns about privileges but that does not specifically invoke any privilege. You may only refuse to answer a question to preserve a privilege that is properly asserted and recognized by the committee.

If you refuse to answer a question on the basis of privilege, staff may either proceed with the interview or seek a ruling from the chairman on the objection, in person or otherwise, at a time of the majority staff's choosing. If the chair overrules any such objection, you should answer the question.

And, finally, you are reminded that it is unlawful to deliberately provide false information to Members of Congress or staff. 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.

As this interview is under oath, Ambassador McKinley, would you please stand and raise your right hand to be sworn?

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

MR. MCKINLEY: Yes.

MR. GOLDMAN: Thank you.

And let the record reflect that the witness has been sworn.

And, with that, Ambassador McKinley, I will offer you the opportunity to make some opening remarks.

MR. MCKINLEY: Thank you for your invitation to appear before you today. My understanding is that I could best be of assistance by clarifying the circumstances of my resignation. The following is an account of what led to my decision to step down when I did.

I want to make clear from the start that Ukraine was not among the issues I followed with Secretary Pompeo. I was not aware at the time of the efforts of Ambassadors Volker and Sondland to work with the President's personal attorney, Rudy Giuliani, and I was not aware at the time of the President's phone call with President Zelensky.

I do think I can shed some light on how events have impacted State Department professionals and what motivated my resignation.
The timing of my resignation was the result of two overriding concerns: the failure, in my view, of the State Department to offer support to Foreign Service employees caught up in the impeachment inquiry; and, second, by what appears to be the utilization of our ambassadors overseas to advance domestic political objectives.

I have served my country loyally for almost four decades in difficult environments. I've served as Ambassador to some of our largest missions in the world, including Peru, Colombia, Brazil, and Afghanistan. All my confirmations were unanimous, and I was nominated by both Democratic and Republican administrations.

I know there are difficult choices and compromises to be made on many of the issues we work. I also know that, as a Foreign Service officer, it is my duty to serve the incumbent administration faithfully, consistent with my oath to the Constitution. It was, therefore, also my duty to resign when I felt I could no longer do so.

By way of background, when Secretary Pompeo first asked me in May 2018 to return to the Department from my posting in Brazil as Ambassador, the pitch was to help rebuild the institution and restore State as the lead foreign affairs agency for the United States Government.

Although I still had 18 months to run in Brazil, and knowing full well the challenges of returning to a building
many saw as broken and demoralized, I decided I had an obligation to the Foreign Service to accept. Over the subsequent months, there were positive changes. Personnel cuts to the Department workforce ended, and the hiring freeze was lifted, to include for family members overseas. The Secretary selected distinguished Foreign Service officers to serve as the Under Secretary for Political Affairs and the Director General of the Foreign Service. While the other senior positions in the Department continued to be overwhelmingly held by political appointees, dozens of career Foreign Service officers were successfully nominated for ambassadorships.

The recruitment of the next generation of Foreign Service officers began again, and promotions returned to normal levels. State once again played the lead role on policy and in seeking negotiated solutions to long-running conflicts and crises in different parts of the globe. There was certainly room for further improvement, but the hollowing out of the Department under Secretary Tillerson was reversed. Morale never entirely recovered, however. In August 2019, the State Department's inspector general released a critical report about the leadership of the Bureau of International Organizations. It became apparent, however, that the Department would not be taking the key corrective actions that many employees had anticipated.
It was in this environment that the whistleblower account appeared in the press. I was disturbed by the implication that foreign governments were being approached to procure negative information on political opponents. I was convinced that this would also have a serious impact on Foreign Service morale and the integrity of our work overseas.

The initial reports were followed on September 25 by the release of the transcript of the President's telephone conversation with President Zelensky, which included negative comments on Ambassador Yovanovitch. The disparagement of a career diplomat doing her job was unacceptable to me.

Inside the building, meanwhile, there was no discussion whatsoever, at least in my presence, by senior State Department leadership on what was developing. At this point and over the coming days, I suggested to senior levels of the Department that a statement of support for Ambassador Yovanovitch's professionalism should be released. I received a polite hearing from officials I spoke to but no substantive response to the concern I was raising.

On Saturday, September 28, I sent an email to senior officials proposing a strong and immediate statement of support for Ambassador Yovanovitch's professionalism and courage, particularly to send a message to Department employees that leadership stood behind its employees in this
difficult moment. I was told that the decision was not to issue a statement.

It was also that weekend of September 28-29 when I first spoke with Ambassador Yovanovitch about the situation. Ambassador Yovanovitch confirmed to me that she would welcome more public support from the Department, that no one had reached out to her from senior levels of the Department, and that she had retained private counsel.

I spoke with EUR Deputy Assistant Secretary George Kent, who had been deputy chief of mission in Ukraine under Ambassador Yovanovitch and who stated he, too, would welcome more Department support. He also noted that I was the first senior Department official to reach out to him.

Realizing that there was no change in the handling of the situation and that there was unlikely to be one, I decided to step down. I informed the Secretary on September 30 before he left for a trip to Italy and Greece, suggesting mid-November as the departure date.

During the Secretary's absence, however, I continued to raise my concerns with other senior Department officials. At a meeting with the Deputy Secretary and under secretaries, I mentioned the impact on Department morale of unfolding events. I also had conversations with the Under Secretary for Political Affairs, the counselor, and the Under Secretary for Management. They listened, but, again, I do not remember
receiving a substantive response.

On Thursday, October 3rd, I met with EUR Deputy Assistant Secretary Kent just after he had finished chairing a bureau meeting on how to collect the data requested by Congress. Kent noted his unhappiness with the tenor of the meeting in which a Department lawyer attended. He later wrote a memorandum to the file summarizing his experiences that day and sent it to me.

I forwarded it to the Under Secretary for Political Affairs, the Department's acting legal advisor, and the Deputy Secretary. I noted the seriousness of what was reported in the memorandum and raised the significant legal costs being incurred by our Department colleagues through no fault of their own. No one answered me.

Although my original intention had been to transition quietly out of the Department by mid-November, by the week of October 7th I no longer felt that I could be effective as the liaison to the seventh floor of the Foreign Service. I accelerated my departure, informing the Secretary that October 11th would be my last day.

In closing, I would like to say that no one wants to end a career on this note. I repeat: Since I began my career in 1982, I have served my country and every President loyally. Under current circumstances, however, I could no longer look the other way as colleagues are denied the professional
support and respect they deserve from us all.

Thank you.

[The statement of Mr. McKinley follows:]

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Thank you very much, Ambassador McKinley. There are some that have called you the dean of the Foreign Service, so I would like to just go through briefly your career, distinguished career, with the State Department. You mentioned you joined in 1982. What various posts have you served in during that time?

If I can summarize, I have served about 10 years of my career in Washington, D.C., in the Department, and I've served the rest of those years overseas.

Unusual for a Foreign Service officer career, I haven't concentrated on one or two regions. I've spent a lot of time in Latin America, I've spent a lot of time working on Africa. I've spent a lot of time working in Europe, and I've spent the time in Afghanistan and in the Department, and so perhaps have had wider experience of policies and issues than I might otherwise have had if I'd stayed in one bureau.

I have also worked on issues related to supporting free-trade agreements across the years, particularly with Colombia and Peru, supporting our companies overseas in almost every posting I've been. I've worked on conflict negotiations in Africa, in Latin America, and most recently in Afghanistan, and placed a great deal of emphasis, as all of us as diplomats should, on supporting the American people overseas in the communities that live overseas in the
countries I've served, but also protecting their interests in whatever way that presents itself overseas.

Q  When were you in Afghanistan?
A  I was there from 2013 to 2016, almost 3 1/2 years.

Q  And as we understand it, you also served as the deputy chief of mission and charge d'affaires at the U.S. Mission to the European Union. Is that right?
A  That is correct, between 2004 and 2007.

Q  And at the time that -- is that the same office that Ambassador Gordon Sondland now oversees?
A  That's correct.

Q  And then in November 2018 you were asked to come back to Washington. And what role were you asked to serve?
A  If I can make a correction, I was approached in May of 2018 --

Q  Thank you.
A  -- and interviewed with the Secretary in May of 2018. And starting in June of 2018, I alternated between Brazil and Washington on a roughly 65/35 percent basis, as I did the full transition back to Washington in November of 2018.

The role I was asked to fill was reflective of the moment the Department was living. Under Secretary Tillerson, somewhere in the region of 20 percent of our senior Foreign Service Officer Corps either left or was forced to leave the
State Department, and the building really did not have senior positions filled. This has been well-publicized and discussed over the months of Secretary Tillerson's tenure.

And Secretary Pompeo came in with a mission of staffing up senior leadership in the Department as quickly as possible. He wanted Foreign Service officers to be part of that senior leadership. He reached out to me, he reached out to others, to come back to the Department, work with him, rebuild the building.

In my particular case, it was not a question of being brought back to be chief of staff. He wanted me in the capacity as an advisory role and, I believe, a connection to the building. And it was made clear from the start that, with my varied background, I could feel free to work on a range of issues and provide advice.

I was not meant to be operational. I made clear to the Secretary at the time that, as assistant secretaries were confirmed and under secretaries were confirmed, the line of implementing policy, developing policy came from other offices. And so, at no stage during the time I was senior advisor, did I envisage an operational role with him.

Q So, as the senior advisor, you were the link between the seventh floor, which is common parlance for the leadership floor, and the Foreign Service officers. Is that right?
It became an informal reality. Because, at the
time, as I said, there were few Foreign Service officers at
the senior levels of the Department. That began to change
over the months, but during that period I was indeed someone
that people in the Service, career people in the Service felt
they could come and talk to.

And over the course of your slightly less than a
year there, other than the issues that you raised as causing
concern and ultimately your resignation, how did your role
develop? Explain a little bit about what your day-to-day
activities were like.

The day-to-day work I did was related to staying on
top of events. So I read voraciously to be able to see where
there might be an interest in input or different thoughts or
advice that I could provide the Secretary on what was
happening around the world.

I didn't have a formal structure to the day other than
attending the Secretary's morning meetings, which are held
almost every day in his office with different constellations
of senior officials. I did not participate in most of the
Secretary's meetings, for example, with foreign dignitaries.
That's just something I did not do.

But as the Secretary settled in and began defining
issues he was working on, one of the areas that became a
central focus of the work I did was with the special envoys
that were being appointed to work different conflicts or
crises in the world, including North Korea, Afghanistan. I
did not do work on Syria or Iran. But when a special envoy
was named for Venezuela, I worked on Venezuela as well and
felt I had some added value, given my history working on
negotiations and conflicts throughout my career.

I was also interested in seeing the Department regain
some of the focus on economic policy which it had lost under
Secretary Tillerson and trying to see areas where the
Department could again have a seat at the table
internationally, both in supporting our businesses overseas,
but as we grew concerned, for example, about China's growing
influence in different regions of the world, what would be
the proactive response to trying to develop a different
paradigm for engaging, for example, with Southeast Asia, with
Pacific Compact islands, dealing with offers that were being
made in different Latin American countries that faced
difficult financial circumstances and were being approached
by China.

I'm mentioning that at some length because it's actually
something I was interested in and took on and discussed and
worked with the Secretary.

But in the early months, I was also a person whom acting
assistant secretaries came to to get a sense of, should we be
presenting paperwork this way? How do we approach certain
policy issues for the Secretary? And the fact is, what was happening was the Secretary was restoring process to the building, and paperwork just began to flow the way I've largely been familiar with throughout my career. But I played that sort of informal counsel role.

And, finally, I supported him on his trips overseas, again, in the capacity of staying abreast of breaking news in different parts of the world, but also joining him in a number of the meetings he might have in different locations.

Q And other than the Secretary, was there anyone else in leadership that you had regular communication with on a daily basis?

A I'd have to say the answer is probably no.

Q Now, you mentioned that you were particularly involved with some of the special envoys. I'm sure you're aware that Ukraine also has a special envoy, Kurt Volker. Did you engage with Ambassador Volker in any way in his role as the special envoy to address the eastern Crimea area of Ukraine?

A Although Kurt Volker and I were colleagues when we were in Brussels together in the 2000s -- he was at NATO, I was at the European Union mission -- I never saw Kurt when I returned to Washington.

Q Did you --

A I never spoke to Kurt. I never saw him. I may
have shaken his hand in the corridor a year and a half ago.
That is it.

Q  Uh-huh. Was that your desire, or was that his?
A  No, no. What I'm trying to suggest, again, is I
wasn't operational. As the Secretary put in place or
empowered -- what the Secretary also did was to empower
acting assistant secretaries.

So, whereas, under Tillerson, there were questions about
whether these individuals could actually take charge of their
bureaus and carry forward the business of State, under
Pompeo, while awaiting Senate confirmations of assistant
secretaries that were being nominated, full authority was
being given to front offices of bureaus to go ahead and do
the business of the diplomacy in the regions and issues they
were responsible for.

So I wasn't out there, you know, checking on bureaus,
seeing what they were doing. There was a natural empowerment
taking place over months.

On the European issues, I really didn't engage much on
many of them, but I certainly never engaged on Ukraine across
the timeframe I was there.

Q  So you view it as a good thing that you didn't have
much engagement with Ambassador Volker?
A  No. It certainly wasn't a conscious decision at
all. It just never came across my desk. I never ran into
him, and I wasn't working Ukraine.

The issues I gravitated to, as I mentioned, were more focused on supporting the conflict negotiations that were developing in different parts of the world and particularly on national economic policy questions. And I also continued to work on issues like trying to support the reforms that were being put into place to strengthen the Foreign Service.

Q You said in your opening statement and you just reiterated that you were not particularly involved or had much visibility into matters relating to Ukraine in your role as senior advisor.

At any point over the last year or so, did you know in real-time, did you follow in real-time anything that was going on, including, perhaps, with Ambassador Yovanovitch's recall in April and May?

A I followed it in the sense that I was aware of what was happening in different parts of the world. In any given month, you could ask me, do you know what's happening somewhere, and I would've read about it. Did I work on it? Did I take any active stance on it? The short answer is no.

Q What do you remember knowing at the time about Ambassador Yovanovitch's recall?

A Only what I saw in the media. I never spoke about her recall with anyone in the Department.

I did run into her sometime after she returned to
offer -- you know, we ran into each other, and we spoke about her transition. I offered her moral support. And that's where it stayed until the developments over the last few weeks.

Q  Back in the spring, did you know why she was being recalled?

A  Only from media accounts. So I can sit here and speculate, but it would be speculation. I saw nothing in writing. I heard nothing. I heard no Department official speaking about the reasons for her recall.

Q  During the beginning part of this year, in the January-through-March/April timeframe, were you following news accounts and the media about nongovernment actors and interests in Ukraine?

A  I certainly saw that being reported, yes.

Q  And in particular, Rudy Giuliani?

A  At the time, I -- you know, if you're going to take me back 6 months ago, I can't remember exactly who I was focusing on. But if his name was in the media at the time, of course I focused -- of course I noticed it.

Q  Without necessarily placing a time on it, were you aware of --

A  Yes.

Q  -- Rudy Giuliani's efforts?

A  I was reading -- absolutely. I was reading the
media, and it was very evident.

Q Did you have any discussions with anyone at the State Department about Mr. Giuliani's --

A I don't think --

Q -- public pronouncements?

A I don't think his name ever crossed my lips. And no one spoke to me about Rudy Giuliani.

Q So when did you become aware of the reason for Ambassador Yovanovitch's recall?

A The details of it, I became aware as the information began to flow after the whistleblower account, and it became very evident just how much was political in her removal.

Q Were you aware of any documents that were submitted to the State Department's Inspector General's Office in or about May of this year related to --

A No, I was not. And the first time I was aware that these documents had surfaced was when Inspector General Linick approached the committees with a package of documents.

Q And have you reviewed those documents?

A No, not at all.

Q So what did you -- describe the circumstances around your coming to understand why Ambassador Yovanovitch was recalled.

A Well, it was a question of putting the pieces
So after the whistleblower account came out and I started reading in much greater depth what was happening in the media, it became evident to me that Masha had been caught up in something that had nothing to do with the way she performed her duties in Kyiv.

When the transcript of the call was released -- I'm just going to state it clearly -- as a Foreign Service officer, to see the impugning of somebody I know to be a serious, committed colleague in the manner that it was done raised alarm bells for me. It absolutely did.

And that's when I became, I think -- with the chronology I've tried to give you. And I've done the chronology mostly from recollection. I, frankly, became very concerned that we had to do something for her. That's when I took it on.

Masha had not reached out to me, for example, in the preceding weeks or even months. So this was very much a reaction to what was being revealed in the media.

Q Former Ambassador Yovanovitch actually has been with the Foreign Service almost as long as you had.

A Yeah. Yeah.

Q Did you come across her in your career?

A Yes, I did, but we were not close friends. And I think we interceded most when we were both in Europe in the 2000s. But, you know, I didn't go back and look up what her
career track was, but I was certainly aware of her for a long
time.

Q  And what was her reputation as a foreign
professional?

A  Her reputation was as an excellent, serious,
committed, up-and-coming back in the earlier years before any
of us had ambassadorial or DCM positions. I certainly
remember her being one of those people who seemed to be
destined for greater things.

Q  And you said that the call record raised alarm
bells for you. What do you mean by that?

A  Simply the reference to the Ambassador in a
disparaging form in the call transcript. It's as simple as
that.

When you're working overseas, every President has the
right to remove an ambassador they don't have confidence in.
And this is standard, and it's part of Department practice
ever since I've come in. So, whatever the rationale,
Presidents have the right to remove ambassadors and select
other envoys for the post in question.

It was the issue of suggesting that she wasn't -- I
don't have the transcript in front of me. All of you know
what's in the transcript, so I'm not even going to try to
paraphrase it. I mean, what is it? One sentence? Two
sentences?
But the fact of the matter is, as a Foreign Service officer who's worked in difficult situations, worked in difficult environments, where we have to deal with ugly people on the ground and where you're dealing with challenges, where you're dealing with threats that can become personal, when you're dealing with conflicts, when you're dealing with issues related to the security and welfare of Americans or the people who work for you in a mission, the one thing you don't want to have is questions being raised about how you're doing your job with the foreign government in question from your own government.

Q Right. And just so the record is clear, we will get into the call transcript, but I believe what you're referring to is the statement by President Trump in the July 25th call record where he says, quote, "The former Ambassador from the United States, the woman, was bad news. And the people she was dealing with in the Ukraine were bad news. So I just want to let you know that."

And then, later on, the President says, "Well, she's going to go through some things."

What did you understand him to mean when you read, "She's going to go through some things"?

A I didn't try to read into it or understand it. The words themselves spoke for themselves.

And my reaction was, well, there's a simple solution for
this. We think she's a strong, professional career diplomat who's still on the rolls, who's still a full-time Department employee. It shouldn't be difficult to put out a short statement that's not political, stating clearly that we respect the professionalism, the tenure of Ambassador Yovanovitch in the Ukraine. Thank you.

That's pretty much as straightforward and simple a statement as I was proposing.

Q Did you view that comment as a threat to Ambassador Yovanovitch?

A I'm not going to interpret it. What I want to say is that a statement like that to a foreign government official creates difficulties for the Ambassador on the ground.

Q And how would a statement like this affect the morale of the career Foreign Service workers in the State Department?

A At this point, I'm going to give you my opinion based, obviously, on my experience and on speaking to people across the evolution of developments in the last several weeks.

It had a very significant effect on morale. And the silence from the Department was viewed as puzzling and baffling.

Q Approximately how many Foreign Service officers did
you speak to about this transcript?

A  I don't know. I spoke to 8, 10, a dozen.

You know, I need to make clear, I also saw the
sensitivity of my position. And so, when you take a look at
my decision to resign, I wasn't sitting there broadcasting it
throughout the building. The fact is -- and I wasn't
broadcasting the specific steps that I was proposing for
support for her. Because, at the end of the day, what I
wanted to see was a statement to come out. Moreover, I
wasn't interested, because of all the positive work that has
been done in the building, to see morale in the building sort
of conflicted, decline, be confused about what was going on.
So I wasn't sitting there going down the corridor, what do
you think, what do you think about what has happened?

I did speak to, you know, a couple of acting deputy
assistant secretaries. It was that sort of informal corridor
conversation, but I asked them, did they think this was
having an impact on the building.

I did not go out and sort of broadcast, you know, "Let's
go out and support Ambassador Yovanovitch." That's not the
way I work. That's not the way I was going to work for
Secretary Pompeo, who I agreed to work with and serve. And I
was looking for a solution. I thought, that could meet what
was required without getting into the broader politics of the
unfolding investigation.
Q From those conversations and those questions that you asked, what sense did you get about the impact on morale?

A My sense was that the impact was significant, in that people were expecting some kind of statement of support for Yovanovitch.

I was not -- I repeat: It would've been unprofessional of me to go out there and start digging. "What do you mean? And what are you hearing?" I never go -- for example, there's these chat rooms or, you know, Foreign Service people or others, you know, people talk, people write, everything. I never go on them. I never read them. No one brings them to my attention. I went on instinct also on this. But I think it's very clear that this was an issue that needed to be addressed.

Q So let's talk about that proposed statement. Who did you speak to first about the possibility of making a statement?

A I spoke to the Secretary first. And I did so in the manner I normally do. I'll sort of raise an issue, and he'll decide whether he wants to react or not. So he listened. There was no pushback, no comment. It was just an acknowledgement that I was raising it.

Q Approximately how long do you think this conversation was, the first conversation with the Secretary?

A Three minutes. It was very short. The way I
worked with the Secretary, I tended to be very crisp. He
works very hard. He works on multiple issues. And I'm very
concise when I'm presenting things.

Q  What did you say to him?
A  I said: We've seen the situation that's developing
outside. Wouldn't it be good to put out a statement on
Yovanovitch? Since my impression is the Department, you
know, at least tried to keep her in Ukraine. I had gotten
that from the newspapers.

Q  What was his response?
A  He listened. That was it. Sort of, "Thank you."
That was the limit of the conversation.

Q  Did you get the sense that he agreed that the
Department was supportive or --
A  I did not. I did not.

Q  Sorry, one --
A  Apologies.

Q  Did you get the sense that he agreed with your
assessment that the Department had supported Ambassador
Yovanovitch?
A  I did not get a sense one way or the other. I
really did not.

Q  Okay. And do you remember approximately what date
this conversation was?
A  It was towards the end of UNGA week -- sorry -- the
Q  So the transcript was publicized --
A  It came out on the 25th --
Q  Right.
A  -- which was while we were in New York, I guess.
Q  Okay. And so --
A  And that's what I was reacting to, on a personal level.
Q  And so do you recall whether it was -- that was a Wednesday. Do you recall whether it was the Thursday or the Friday that you had this conversation with the Secretary?
A  It was probably Thursday.
Q  Okay.

After this conversation with the Secretary, what did you do next, in terms of advocating for --

THE CHAIRMAN: If I could just interject with a couple questions.

MR. MCKINLEY: Sure.

THE CHAIRMAN: At the time you spoke with Secretary Pompeo, were you aware that Secretary Pompeo had been on the call?

MR. MCKINLEY: No. Not at all.

THE CHAIRMAN: And when you raised this issue with him, did he give any indication that, in fact, he was on the call?

MR. MCKINLEY: No.
THE CHAIRMAN: And, if you could, as best you can, tell us exactly what you relayed to him. And did he say anything at all in response or --

MR. MCKINLEY: No, he did not on -- I was raising issues related to, why can't we go out with a statement? This seems like an easy issue to address. My impression that Yovanovitch had received a level of support, because she did come back to the Department. And my understanding was that she was also extended or people were looking to extend her at one point. By the way, I didn't know any of that until very recently, but it was just my impression. And so I put it in those terms.

I wasn't, frankly -- and, again, I'm going to be very direct on this. I'm a career Foreign Service officer. This has been, as many administrations have been -- there's many moments that are highly political that spill over into, you know, sort of, State Department corridor gossip or discussions. The one thing I knew above anything when I accepted this job was I wasn't going to sit and become part of the political environment.

So I didn't sit and have discussions with Secretary Pompeo about what was happening with White House politics. You know, White House approaches. And I certainly was not going to make a comment, one way or the other, about things the President did. That's simply not the way I was working.
It was, I wanted to focus and did focus on issues that needed to be addressed in the foreign policy arena or in the building. But I did not initiate conversations with him nor did he volunteer to me political comments on ongoing situations at any point in the time I worked with him.

THE CHAIRMAN: Ambassador, I understand, but I just want to get as clear a record as we can on what you said to the Secretary and what he said in response.

MR. MCKINLEY: Yeah. In response --

THE CHAIRMAN: Can you go back and, as best you can, tell us exactly what you told the Secretary?

MR. MCKINLEY: I said, are you aware of -- I'm sure you're following what is happening. Wouldn't it be good if we put out a statement on Ambassador Yovanovitch?

THE CHAIRMAN: When you said, I'm sure you're aware of what's happening --

MR. MCKINLEY: That's right. Of course he said, yeah. You know, it's that kind of exchange. I mean, to formalize it as something more --

THE CHAIRMAN: No, no. I'm just -- I'm not trying to formalize it. I'm just trying to get exactly what was said during the meeting. So you asked him if he was aware of the situation, and he indicated that he was.

MR. MCKINLEY: Yeah, that he was following it.

THE CHAIRMAN: That he was following it.
MR. MCKINLEY: Okay? And I said, well, in this context, wouldn't it be a good thing if, you know, we say something quickly about, you know, Yovanovitch, given what was said about her in the transcript? And I don't know whether he said he'd think about it. I don't even think I even got that level of response. It was a passing conversation.

And I repeat, whether you think this is appropriate or not, but across the time I've worked on the seventh floor in this latest iteration, I made a very conscious decision not to talk about anything that was political.

THE CHAIRMAN: No, I understand. But I just want to make sure we understand the full contours of the conversation.

So you asked him if he was aware of what was going on with Ambassador Yovanovitch. He said that he was aware, indicated he was aware.

You said, wouldn't it be nice if the State Department issued a statement of support. Did you relate anything else to him in the context of "wouldn't it be nice" --

MR. MCKINLEY: No. No.

THE CHAIRMAN: -- about the attacks on her or the impact on morale in the Department of the attacks on her. Did you relate anything along those lines?

MR. MCKINLEY: I don't believe I did it at that stage.
THE CHAIRMAN: Did you have a subsequent conversation with him about that?

MR. MCKINLEY: Not that week. So that would've been whatever, the 26th, 27th. And as I said in my statement, by the 28th, there were numerous media articles appearing about Yovanovitch, and, frankly, I did grow concerned that we needed to say something forceful on her behalf. Because I worried that there would be a mischaracterization of what she had done, and we needed to be forceful, supporting her professionalism.

THE CHAIRMAN: So --

MR. MCKINLEY: And that is why, that weekend, I raised the issue again, but not with the Secretary.

THE CHAIRMAN: Okay. How many conversations did you have with the Secretary about this matter?

MR. MCKINLEY: Three probably. And the subsequent ones were in the context of -- because, if I can remind, I presented my resignation on Monday, September 30th. So it wasn't very long after the initial conversation.

And in presenting my resignation, I made clear that I was looking to leave the Department, I wasn't looking to create any news story out of it, but that he should be aware that, of course, part of the reason, people were very aware that I was concerned about what I saw as the lack of public support for Department employees.
THE CHAIRMAN: And what was the Secretary's response when you said that?

MR. MCKINLEY: On that subject, he did not respond at all, again.

What I -- if -- I know this is difficult to fathom or believe. Across the 8 or 9 days, whatever period it was, that I was seeking to raise this, nobody ever really said anything to me. It was, like, receive mode. And I just continued to raise the question in different ways, and I still would not receive a reaction.

I think once or twice -- somebody once said, "But we are protecting the staff. We're providing legal guidelines, which allows them the time to prepare their testimony, collect documents. We're looking at how to work with the congressional requests." And it would be left at that. But the central question I was raising about say something publicly just was not addressed.

And on the legal support --

THE CHAIRMAN: Ambassador, if I could, because --

MR. MCKINLEY: Yeah. I'm sorry.

THE CHAIRMAN: I'm going to turn it back to my colleague to go through the timeline in more detail, but I just want to make sure that we're clear on your conversation with the Secretary.
In the first conversation you had with the Secretary, you essentially got no response to the request for a statement. Is that accurate?

MR. MCKINLEY: That's accurate.

THE CHAIRMAN: And in the final conversation with the Secretary where you raised the matter again, you again got no specific response to that issue when you raised it with the Secretary. Is that correct?

MR. MCKINLEY: That is correct, yeah.

THE CHAIRMAN: And was there a third conversation?

MR. MCKINLEY: Yeah. So I presented my resignation on September 30th. I spoke with the Secretary again when he called from Europe to discuss my resignation. And I think at that point I said, well, you know, we really -- I was pretty direct. I said, you know, this situation isn't acceptable. We need to -- you know, I've already made my recommendation, but I do -- I am resigning.

And that was the conversation. Again, I didn't get a reaction on that point.

THE CHAIRMAN: Okay. I yield back to Mr. Goldman.

BY MR. GOLDMAN:

Q So you initially submitted your resignation on the 30th, which was 5 days after the call was released.

A That's correct.

Q Okay. And this initial conversation with Secretary
Pompeo was either on the 26th or 27th.

A Yeah. Probably on the 26th.

Q After this initial conversation with Secretary Pompeo, what did you do next in your efforts to procure a statement?

A So a number of articles began to appear on Ambassador Yovanovitch. I, frankly, grew concerned that, depending on circumstances, this kind of attention could attract negative commentary from people who were perhaps inclined to view her in a negative light.

And so it was, I do remember very clearly, a Saturday, and I just sat down and sent an email to four people. "We really need to do this."

Q Before we get to that email, did you indicate to Secretary Pompeo what the proposed substance of a statement might be?

A No.

Q Just a statement of support?

A Yeah, I -- no.

Q Okay. And did you learn from the media that Ambassador Yovanovitch had been offered an extension, or did you learn from the Department?

A No, I learned it from the media. I did not know about it at all.

Q Who did you --
A She didn't tell me.
Q When you saw her in the halls back in --
A No. Well, when I saw her -- whenever she got back.
I don't know whether we ran into each other in June or July.
But, no, no, we didn't discuss that, not to my recollection.
Q Focusing on this email on September 28th, who did you write it to?
A I wrote it to the Under Secretary for Political Affairs, David --
Q David Hale?
A -- Hale. I wrote it to Carol Perez, the Director General of the Foreign Service. I wrote it to Morgan Ortagus, the Department spokesperson, and Lisa Kenna, the Executive Secretary.
I'm trying to think. Oh, Phil, the acting -- the senior bureau official, the Acting Assistant Secretary for Europe, Phil Reeker.
Q I'm sure you realize by now that we have received no documents from the State Department, so --
A Right.
Q -- we don't have this email.
A But I'm telling you the date that I sent it. I don't have Department documents.
Q No, we understand that.
A Yeah.
Q  And we'll get to that in a minute. But, because we
don't have it, I need to ask you to summarize what you said
in it.

A  Yeah. So I wrote it deliberately, decided it was
time to start creating a paper trail of my concern, and kept
it short. It was, sort of, I think we need to issue an
immediate statement of support for Masha's professionalism
and courage -- because, frankly, I believe a lot of courage
has been involved in dealing with the situation she has
faced -- and send a message to the Foreign Service that we
respect professionalism.
MR. MCKINLEY: And so I knew that putting it on paper was enough. I didn't have to go into, you know, a 10-paragraph sort of justification. Everybody knew what I was talking about. And I believe I tried to talk to a couple of them on the telephone as well to reinforce the point.

BY MR. GOLDMAN:

Q So we'll get to that in a second. Did you receive -- do you recall anything else about what you said in the email?

A No it was really short.

Q Did you receive any response from --

A I did. At that point I did. I received support from -- in writing -- I think Carol and Phil Reeker supported. And I think others were supportive of it as well.

And so the idea was presented to the Secretary.

Q Let's wait. Let's just go through this step by step if we could.

A Sure.

Q So you received an email in support from Ambassador Perez in support of the idea?

A Yeah, absolutely, and Reeker as well.

Q Do you recall what Ambassador Perez said?

A It was like, okay, yes, I agree. I mean, it was that kind of -- conversational.
Q Understood. I just want to make sure we cover everything.
A Absolutely.
Q And what was the response from Acting Assistant Secretary Reeker?
A The same. Maybe there were three more words, but the same.
Q And you said you also received additional support. From whom did you receive additional support?
A Well, additional support, you know, Lisa Kenna agreed, I think Morgan Ortagus agreed.
Q So everyone that you wrote to on that -- what about David Hale?
A I did not get an answer from David Hale.
Q Okay. You didn't get anything from David Hale. So four of the five responded in support of your idea?
A Positive terms.
Q All right.
Who did you reach out to on the phone from that group of five?
A From that, I think it was only Carol and Phil. That's what I remember.
Q Okay.
A Again, it's going to be difficult for everyone to accept this. I wasn't taking notes the whole time I was going
through this. I was not envisioning sitting in this committee. I was not sort of compiling a record. I was trying to address a situation and I was also making a decision to leave.

Q  Now, were you aware at this time that Ambassador Volker had resigned on that Friday, the 27th?

A  If I was, it never crossed my mind. Was I following the news? Yes, I was. Do I remember that? It didn't matter to me.

You know, I wasn't focused on Volker. Volker left the Department over 10 years ago. And, you know, as is his right, he had become political in what he did. So, you know, I didn't sit there and think: Oh, Kurt's another Foreign Service officer. I didn't think of him in those terms at all.

Q  All right. Let's go back to this email. Do you recall anything about the conversation that you had with Ambassador Perez following this email?

A  No. I just said this is really bad. You know, it's the kind of conversation where you're just mutually reinforcing. So you're sitting there -- not sitting there, you're on the phone, you know. Reeker and Perez absolutely agree, we've got to say something, we've got to do something, this is -- this is going to impact the building. That's the approach. And we have to support Ambassador Yovanovitch.
Q  Did you speak with any of the others on the phone, Lisa Kenna or Morgan Ortagus?
A  I may have spoken to -- I spoke to Lisa and I eventually spoke with Morgan.
Q  All that weekend of the 28th?
A  No, that day.
Q  On the 28th?
A  Yeah.
Q  What did Lisa Kenna say to you?
A  Just supportive, that's it. You know, it was not any -- any -- she really wasn't in the line of authority to get something done. I was just letting her know that I was sending this.
Q  And, Ambassador McKinley, I don't mean for these questions to come up loaded. We're just trying to understand --
A  No, no --
Q  -- as many of the facts as we can here.
Q  If we had the documents and the emails it would be a lot easier for us.
A  Yeah. Yeah. But, anyway, so I sent an email. I got a one-word answer or a five-word answer. And then I get on the phone and say: This is really important. Yeah, it is, we need to do something.
Q And other than David Hale there was unanimous agreement?

A Yes.

Q You said that you also spoke with Ambassador Yovanovitch that weekend. Do you remember when?

A I don't know if it was on Saturday or Sunday, but I spoke to her. I wasn't going to bother her. But the answer came back that it was probably better not to issue a statement because it would draw further attention to Yovanovitch and wouldn't it be better to try to let this die down. So that was the response I got.

Q And so it was after you received a response that you reached out to Ambassador Yovanovitch?

A That's correct.

Q So let's go back then and figure out.

So we understand that you had emailed five people. Four responded positively. You spoke to all four and they all responded positively about a statement.

A Yeah.

Q What happened next?

A Probably a couple hours later Morgan reached out to me by phone and told me that the Secretary had decided that it was better not to release a statement at this time and that it would be in part to protect Ambassador Yovanovitch not draw undue attention to her. I dropped it.
Q So do you know who was involved in this conversation with the Secretary on that Saturday, September 28th?

A No, I don’t know who was in the room with him. The press people are -- it’s Morgan Ortagus and I think blank.

Q Do you know if the counselor Ulrich Brechbuhl was involved in any of these discussions?

A No. I didn’t even -- no.

Q And you didn’t include him?

A No.

Q Why not?

A I was going -- my appeal at that point, frankly, was to mostly career people and to the spokesperson who would have to, you know, sort of issue a statement, get approval for it. That was my rationale at that point. It wasn’t because I was thinking: Oh, they are going to say this, that, or the other. I was just trying to bureaucratically create a group of support for an idea to move forward.

Q Had you spoken to Ms. Ortagus before she reported back to you about the Secretary’s wishes?

A No.

Q So you just received an email for her in support?

A Yeah, I received an email. And then -- and then -- and then -- and then a request to speak by telephone.
Q So what did she said to you, in as much detail as you can recall, about what Secretary Pompeo said about the prospect of a statement?

A It was simply the Secretary thinks that a statement would draw undue attention to Ambassador Yovanovitch right now -- unwanted attention -- and it would be better to let this die down.

I didn't have a long conversation. I didn't talk --

Q Did you respond to her?

A I just said -- at that point, I just accepted it as given. And that's when I got off the phone and reached out to Yovanovitch.

Q What did you say to Ambassador Yovanovitch?

A I said, I'm under the -- I've been told that perhaps a statement is not something you would welcome. What is your view on that? And --

Q Wait. I'm sorry. So Ms. Ortagus told you that the Secretary was --

A Pardon?

Q Sorry. Just to be clear. Ms. Ortagus told you that Secretary was concerned --

A Not --

Q Just 1 minute.

A I'm sorry.

Q Was concerned that Ambassador Yovanovitch would not
want a statement in support? Where did you get that idea that you understood --

A Probably from the conversation with Morgan. But -- you know, I can't remember exactly how I phrased it. Yeah, I think I did have the impression from Morgan. but I -- I repeat, I'm not sitting there taking notes, so I'm giving you a recollection. All I know is my direct question to Ambassador Yovanovitch was, you know, you would be -- would you or wouldn't you be interested in a statement of support?

Q And just to be clear, we're just asking for your best recollection.

A Yeah, no, because that's what it's going to be, I'll tell you.

Q And we understand that when you were having these conversations you were not expecting to have to recall word for word transcriptions of them.

What was Ambassador Yovanovitch's response when you asked her that question?

A She -- she's -- well, you've had her here, so you know she's very careful in the way she speaks and presents. And she said: Yes, I would welcome it. And it was pretty much that. But also I asked whether others in the building had reached out to her in the preceding days or weeks, and the answer was no.

And I said: What are you doing? And I remember her
talking about private counsel. I never thought I'd have private counsel. And so I didn't follow up, ask questions about it, think about it.

Q  Understood.

Did she indicate to you how she reacted to reading the transcript?

A  No. Oh, there's one thing that I'd also learned over the years. I'm not sure, what stage did you send out the request for information -- sorry, the request for depositions? Do you remember the date?

Q  I think it was the 27th, so it would have been on the Friday?

A  Okay. So I would have been aware of that. And I want to underscore, and we can get into it later, I never asked Yovanovitch or Kent what they were going to say, because I realized I shouldn't be talking to them since they were embarking on a legal process. What I focused on in my conversations with them was, you know, what's the system doing for you?

Q  What else do you remember from that conversation?

A  Not much. It wasn't a long conversation.

Q  Did she indicate whether she had spoken to any other career Foreign Service officers and had any sense of the morale with the Department?

A  No. No. I mean, I was focused on her.
Q What did you do after you got off the phone with her in connection with this matter?

A I believe, and that's the term I'm using, I don't know whether I reached out to George Kent that evening or Sunday, but I reached out to George Kent. I think I probably got a hold of him on the Sunday. But I don't remember exactly.

Q Did you report back to Ms. Ortagus that Ambassador Yovanovitch --

A No, I did not.

Q -- would welcome a statement?

A No, I did not. Sorry. No, I did not.

Q Why not?

A To me, the writing was beginning to be on the wall. And also was regrouping. And, frankly, it was that weekend that I made the decision to inform the Secretary on the Monday that I was leaving. So I was focused on that, too.

Q Were you aware that the committees issued a subpoena to the State Department on that Friday, the 27th, by the --

A I may -- I may have been, but it's not something that I was sitting there thinking about at all. It wasn't -- you know, was I watching the news every night, reading media reports? I was, but not with any design.

Q So you recall speaking to George Kent on the 29th,
Q  you believe?
A  28th or 29th. I can't remember exactly.
Q  But before the Monday?
A  Yes.
Q  Over the weekend?
A  Yes.
Q  So tell us about that. Why did you reach out to him?
A  I reached out to him because I think by then -- oh, thanks to the requests for depositions, I realized other Department people were being roped in. Call me naive, but I did not know.
And then the list of people you were asking to interview came out in some way, and George was on the list. And so I reached out to George.
And the conversation was extremely short, because we don't know each other. We hadn't met until a few days later. And so he wasn't going to open up to somebody he didn't know necessarily.
And I just said: Has anybody reached out to you? Would you welcome an expression of support? And that was pretty much the extent of the conversation.
Q  And was that the purpose of reaching out to him?
A  Yes.
Q  Just to express some support?
Absolutely.

Q: What did he say in response to your question as to whether anyone had reached out to him?

A: No.

Q: Did he give you any opinion about how he felt about that?

A: There may have been a throwaway comment, but, no, we did not have a -- you know, we did not have a detailed conversation about it, no. I mean, it was so obvious that no one reaching out to him was unusual.

Q: You thought that was unusual?

A: I thought that was unusual, absolutely.

Q: What did you think should have occurred?

A: I think --

Q: One second, sorry. Just so the record is clear, it's easier to --

A: I apologize.

Q: No, that's fine.

What did you think should have -- what did you think the State Department should have done with regard to Ambassador Yovanovitch and George Kent?

A: I believe when -- you see, it's very easy with hindsight. So since I didn't pay attention, didn't focus on it particularly when events were developing in the late spring into early summer, I don't want to engage in hindsight
gaming of this. I don't know what was done. And I have not
asked specifically about what was done.

So -- and I don't want to -- clearly someone thought
highly of her if she was being asked to extend only a month
or two before she wasn't.

So I'm not going to do the hindsight game.

What I do believe is that as this developed over this
very short period, the appropriate thing would have been for
senior management to reach out. Whether it was the legal
advisor, the under secretary for management, the under
secretary who was responsible for Europe, there should have
been at least let us know if there is or we can't help you
because, whatever. Some sort of conversation.

So, you know, I was flying solo, I didn't know what the
rules of engagement were. But I did know that, as a Foreign
Service officer, I would be feeling pretty alone at this
point. And so I reached out.

I was surprised when I found out that I was the first
senior person they had been in touch with.

Q Did you discuss with anyone else in leadership that
weekend any -- about this matter?

A No.

Q And then September 30th you gave in your -- you
gave your resignation notice.

A That's correct.
Q  Is that right?
A  Yeah.
Q  Describe how you did that.
A  I think it was less than a 5-minute conversation.

I saw the Secretary. At the time, I wasn't prepared to go into any great details. I said: It's time to move on, look at a next phase of my life, I don't believe this will have any major impact, but you are aware that -- people are aware that I've been concerned about what is the lack of support for Department officials.

And I gave the mid-November sort of exit date, thinking, you know, transition out, do my paperwork in a reasonable timeframe, and so on.

Q  Was this meeting in person on Monday?
A  Yes, it was.
Q  And did you bring up the statement again?
A  No. I said: As you're aware, I have been -- I've also been concerned about these -- this issue.

Q  Did he respond in any way --
A  No.
Q  -- to that comment?
A  No.
Q  How did he respond to your resignation?
A  I mean, there -- it was disappointment that I was resigning. So, you know, I can't -- on the resignation
discussions it's typical of discussions that anybody has when they've worked with somebody. And I went in and made my point. It was obviously a surprise. And as I said, it was a very short conversation.

Q Did you make it clear that part of the reason you were resigning was your concerns over --

A At that point --

Q Sorry, 1 second. Over this Ukraine matter?

A No. As I mentioned, I made the conscious decision to go in and to just say: Time for me to go, time for me to look at something else to do with my life. As you're aware, I have expressed my views on the lack of support for Foreign Service officers in this situation. That may be part of the story at some point. And, you know, we'd figure out how we'd announce my -- you know, do the usual little Department two-liner "thank you for your service" and out the door.

Q And he didn't address your concerns at all or this issue with Ambassador Yovanovitch --

A No.

Q -- in any substantive way?

A No.

MR. GOLDMAN: I believe our time is up, so yield to the minority.

THE CHAIRMAN: Ambassador, do you need a break?

MR. MCKINLEY: No, I'm fine. Thanks.
BY MR. CASTOR:

Q  Ambassador, thank you again for your service. We're honored to be here with you today. By my calculation, 37 years with the State Department. That is truly an extraordinary career. We appreciate your willingness to participate in the oversight process. This may come as a surprise to you, but not always are administration officials willing to participate eagerly in the congressional oversight process. So you are --

A  I assumed I was going to be up here one way or the other.

Q  You indicated in your opening statement that you were encouraged when Secretary Pompeo took over the State Department. Could you just walk us through that a little bit, your thinking, and how you were encouraged by some of the decisions he made in the wake of Secretary Tillerson's exit?

A  I'm happy to, but please stop me when I get too much into the weeds.

What happened in the year of Secretary -- or 15 months of Secretary Tillerson's tenure was an extraordinary hollowing out of the building. Not only did we lose 20 percent of our senior leadership, not only did he freeze hiring, he announced an intention to reach an 8 percent cut in staffing levels.
He froze what we call employee family member hiring overseas, which affects about 2,000-plus jobs. These are jobs that are filled by family members, usually spouses or partners, in embassies overseas that otherwise you would be hiring locally for, and which sometimes even involved sensitive positions with at least low level clearance requirements, and had a devastating impact on morale in embassies around the world, as families had to begin -- in the modern world many couples both look to have some kind of career moving forward.

It's not just a question of money. It's a question of life goals and fulfillment. And that one was -- I was sitting as ambassador in Brazil and we were looking at filling, I can't remember the exact number, but it was dozens of positions, and all of a sudden we didn't have authority to move ahead.

And you add all the positions around the world that were being frozen, we were running in into the hundreds of jobs that were disappearing that had become a central part of how we staff, work our embassies, but also how we support the modern American family oversees in deployment.

Promotions were cut by 40 to 50 percent. This was devastating to mid-level officers. Mid-level officers, because of a hiring surge in the 2000s, already had a very slow promotion track. By cutting back the number of
available slots for promotion, you were essentially
condemning a generation of next leadership Foreign Service to
toiling at a certain level when they would obviously have
reached the point where they were ready to work in positions
of greater responsibility.

If I remember correctly, only 1 out of 9 Under Secretary
positions were filled in that 15 months in a confirmed
position. Out of 23 equivalent -- assistant secretary
equivalent positions, I think we were at 3. And so senior
leadership in the building was nonexistent.

I worked in the Latin America Bureau, but the
experiences was mirrored in other bureaus, in which no one
felt any authority to move paperwork forward or initiatives
and were constantly rethinking, looking over their shoulder,
how to work and what to do.

I could go on, but I think you get the picture.

And so when I came in -- sorry, not the when I came
in -- let me make this clear, when Secretary Pompeo came in,
he came in with a completely different optic and it was let's
make the Department work. And many of the initiatives I
ever had anything to do with that. It just began to work
with the people he was working with. And he does deserve
credit for rebuilding the institution, processes, creating
opportunities, and, frankly, ambitions for the Foreign
Service.

And so that was the environment I came into. It wasn't immediate. I still felt in the first 3 to 4 months: Are we going to get there or aren't we? But by the fall, by late 2018, it was beginning to have a really positive impact.

Q And the job that he asked you to do, what were the duties?

A There weren't any specific duties. When I interviewed with him, I said: What is it you expect me to do? Because there wasn't going to be a chief of staff position. And traditionally the advisor kind of position is the counselor position in the Department, so I was wondering, well, there's a counselor, and once you start filling the positions, what am I really there to do?

And he made clear that I would have the freedom to raise issues with him directly, anything I saw that should be focused on or that was of concern, and to follow what was happening in the world.

And what became the pattern of work was I did exactly that and where I thought I had added value with an opinion and or working with bureaus or working with special envoys I participated.

I, a couple of times, was asked by bureaus to help out. I remember during the DRC Congo electoral transition I ended up representing the Africa Bureau at the deputies meeting at
the White House. I was asked by WHA to go talk to the
Ortegas in Nicaragua to see if we could restart a national
dialogue.

But those were few and far. I was approached by the
bureau that supports educational exchanges around the world
to make a case for funding, greater funding for the
initiatives they were proposing. But I really didn't become
operational very often.

Q And you mentioned that you in part became a liaison
for the career Foreign Service?

A Yeah. I mean, it's a grand term. I don't want to
make this sound like it was formal. People came and talked
to me.

If I can just go back to my career. I have been in
front offices since 1994. 1994 was my first deputy chief of
mission job in Maputo, Mozambique. And so I have been in
front offices continuously probably longer -- I don't know
anybody who's been as long as that. And you meet a lot of
people. And you meet a lot of people throughout the career.
And so I knew a lot of people, and people would come talk to
me, of all ranks.

Q And the Secretary of State travels more than any
other U.S. official. How did you, during the rollout of your
new job, influence the Secretary and influence his inner
circle? Which may just be Mr. Brechbuhl. But how did you go
about bringing yourself into their sphere of influence?

A On the travel schedules and decisions on where to go? The bureaus.

Q Just in the management. I mean, you --

A No, on the management, zero.

Q Okay.

A I was invited to join most of the trips. I didn't go on all of them, but I think maybe 65, 70 percent. But I never got into the management, the scheduling, who was being met, preparation of paperwork. I went on as staff support, if you will, on keeping abreast of events.

And then, depending on the places we were, if I had added value on the issues that were being worked, you know. I might be in a meeting and you're sitting around talking, what did you think of that, what did you think of this, and give a view.

Q You mentioned that you weren't going to be the chief of staff, but you were brought in to be a senior voice within hopefully the inner circle of the Secretary?

A On the seventh floor, yes. And I repeat, at the beginning I think I was -- in the early -- in the early stages I was, I think, the only person in that capacity from the Foreign Service. That changed.

Q Right. And part of your duties were to help the Secretary and Mr. Brechbuhl understand the viewpoints of the
career Foreign Service officers?

A If I can suggest --

Q If concerns were --

A -- I never had the formalization of duties. But, yes, I thought it was what I should do, is as they worked on different issues.

I want to emphasize, they were very proactive in pushing for many of the measures that I've outlined.

Q And with a Cabinet secretary that didn't travel as much as the Secretary of State, if you were there engaging with the Secretary on a daily basis, you'd be able to develop a rapport, an ability to influence the decisions of the day, but not as much with the Secretary of State given his travel schedule. Is that fair to say?

A I don't like the word, you know, influencing in one way or the other.

Q Help inform --

A You know, help inform the decisions is a much better way to describe it. So, you know, depending on the issues, where I thought I had something of value to offer I'd speak up.

Q And did you have success in imparting your knowledge and the information you were receiving from the building to the Secretary and Mr. Brechbuhl?

A I absolutely believe I did. But I want to repeat,
you know, a lot of what I did was, you know, focus, say, as we're getting ready to build up towards the beginning of negotiations on Afghanistan, having spent 3-1/2 years there, having spent a lot of my career on conflict negotiations, I'd sit in meetings with Ambassador Khalilzad (ph) or with the Secretary, what are we going to do, how are we going to game this, that sort of thing.

So there was that part of my work, which took up a lot of the time. I didn't spend my day worrying about the building every day. And especially once all these changes were carried out, it seemed to me the institution was moving ahead.

I'd also like to underscore the work that was done by the Secretary, by Mr. Brechbuhl, by others, to push Foreign Service officers for ambassadorship positions overseas. They absolutely were engaged on a direct and personal level in making things happen and go forward for the Foreign Service.

So my appearance here today isn't to sit and slam the Secretary. That's not what I'm here for. I've talked about a specific instance which led me to a conclusion.

Q To the contrary, you've been very complimentary of the Secretary. I think we can note that for the record.

Did you have regular telephone conversations with Mr. Brechbuhl?

A No. But he's a person who I spoke to on a regular
basis. He's very approachable. So we worked a lot on a couple of issues together. But we're on the same corridor, so you run across each other, you say hi, you have a corridor conversation on whatever the issue is of the day. But we didn't have weekly formal -- I didn't have weekly formal meetings with anyone.

Q  Okay. When you decided to formalize your concerns in the email you mentioned that you transmitted to Under Secretary Hale, Director General Perez, Lisa Kenna, Phil Reeker, you mentioned that you kept it to the career senior people and you didn't loop in Mr. Brechbuhl. And I just wonder what your -- like why you decided not to --

A  I wanted to take the temperature with people who I knew.

Q  Right.

A  Who I knew well from previous years. These aren't people I had just met. In the case of Reeker, in the case of Carol Perez, David Hale, we knew each other.

Q  And so I think you said four of the five seemed to be in agreement with you --

A  Yeah. And perhaps David Hale was as well. I'm just -- what I said was I didn't get a response one way or the other.

Q  Right. And so was there ever a discussion among that group --
A No.
Q -- of trying to --
A No.
Q -- bring this issue to Mr. Brechbuhl's attention that maybe the Secretary needed to think this through from a number of different vantage points?
A Not certainly in that group. I don't know if it happened separately. I simply have no idea.
Q So the communication back was right now, at this time, it was not a good idea, the Secretary thought it wasn't a good idea?
A That's what I was told. I'm not going to put words -- this was not communicated to me by the Secretary.
Q And who --
A It was communicated by spokesperson Ortagus.
Q Okay. And did you have any additional conversations with that group to maybe overturn or revisit the decision?
A No.
Q Okay. And in hindsight, do you which you did?
A [Nonverbal response.]
Q I mean, if the communications officer, the press person essentially for lack of a better term, comes back and says, no, we're not ready to do the statement, the Secretary is not interested in that, did you have any discussions
1  with --
2    A  That's an excellent question. But, again, no, I
didn't do it.
3    Q  Okay.
4    A  And if I can suggest that everybody was working in
their own, I won't say silos, on their issues, and I did feel
I was trying to drive this more than others.
5    Q  Right. And did you get any feedback from Perez,
Kenna, Reeker, other than what you've described so far?
6    A  Not really.
7    Q  Okay. And did you have any phone conversations
with them, any of the other folks?
8    A  No, not that weekend. No, not at all.
9    Q  Into the next week, did you?
10   A  The next week -- and I'm now beginning to get
confused, so bear with me.
11   Q  Oh, okay.
12   A  But the next week would have been the week of
September 30th. Yeah, that week. I remember -- that week was
the week that I presented my resignation. And at that point
I did -- by that point I did let the under secretary -- I let
everybody know -- not everybody -- I let the counselor,
Brechbuhl, know, the under secretary for management, Bulatao,
know that I was resigning, I let David Hale know.
13   And I believe on all three occasions, because the
question inevitably was why, and I said, you know, that I, as
I said in my opening statement, I was looking to resign at a
slightly later date, but the situation, the lack of support,
that I really believed the statement should go out, that it
still wasn’t too late to put a statement out, that this was
critical for the Foreign Service, this was having an impact
on morale.

So I talked to each of them individually during that
week. And I also remember just in a general staff meeting of
under secretaries when the issue didn’t come up at all I
said: And by the way, there’s a lot of news out there and
this is having a really negative impact inside the building.

And the response was essentially we do have a large
mission to continue working on in supporting American
diplomacy overseas, which is a legitimate point, but it
didn’t answer the question of why don’t we also do something
to signal that we’re supporting our people.

Q Did any of the folks that you signaled your intent
to resign, did any of the folks express alarm, dismay?

A Everybody expressed regret. Nobody asked me to
stay. And at the time, I was expecting some form of
traditional State Department, a little message, thank you for
your service, out the door. But that -- but there were
questions about why was I leaving.

Q One of the things that’s puzzling, I think, is
you've spent your almost 40 years working complex, worthwhile issues, many of which certainly in your ambassador posts take time to work, correct? And this sort of seems like came together so quickly.

A  If didn't come together so quickly. And I --

Q  I mean, it was 8 days, right?

A  That's right. And I'm going to be very direct here.

Q  Yeah.

A  It wasn't just the situation inside the building and the lack of a statement of support.

Q  Right.

A  I read the news. I read what is happening. I think I tried to say clearly in my statement that -- I think I used the words "deeply disturbed" or "disturbed" by the implication that foreign governments were being approached to procure negative information on political opponents.

Well, actually that was another issue of concern to me and one that threw into question exactly what you're saying. I have spent 37 years being a diplomat. Being a diplomat for the United States means supporting millions of Americans overseas. It means supporting our companies to create jobs at home. It means resolving conflicts that impact the United States. It means keeping the homeland safe. It means working with our military, the agency, all of our civilian
agencies on projecting our interests and influence overseas. It means projecting American values.

In Afghanistan I worked with three four-star generals, with General Dunford, General Campbell, General Nicholson. I've worked in conflict areas the world over. And by diplomats doing what they do overseas, they help keep this country secure and prosperous and also offer us the possibility of being linked to the outside world.

In terms of supporting our values, we're also the frontline in promoting issues of human rights, democracy, and cooperation internationally.

In this context, frankly, to see the emerging information on the engagement of our missions to procure negative political information for domestic purposes, combined with the failure I saw in the building to provide support for our professional cadre in a particularly trying time, I think the combination was a pretty good reason to decide enough, that I had -- I had no longer a useful role to play.

Q Is it possible that the Secretary and his people hadn't fully come to grips with how they were going to respond to this inquiry?

A It is entirely possible. Since I never had a conversation with any of them about the Ukraine it would be silly of me to try to speculate what the reasons for their
approach was. All I knew was, in terms of the building, that
this approach was not producing -- was having a negative
impact.

Q The issue of impeaching the President has been at
the forefront of political dialogue since the moment the
President took office, correct?

A I'm not going to make -- I'm not going to make
comments on the political situation.

If I can underscore, throughout my career, and I came in
in 1982 under President Ronald Reagan, there have been
controversial moments right the way through that. There have
been controversial domestic political moments. There have
been moments when American citizens, Foreign Service
officers, anyone sits there and questions what's happening,
what's the impact of this or that development.

In my experience in the Foreign Service, and I don't
need to go back 37 years, I don't remember occasions when in
the workplace, certainly since I've been a front office
person since 1994, I don't remember people raising politics,
questioning who was President.

What everyone focused on, where they sat was supporting
the agenda of the administration. And if we look at the role
the State Department has played over the last 3 years in
supporting the President's agenda, I think we have a pretty
strong record of positive engagement supporting the agenda.
So we're not sitting around talking about impeachment, impeachment inquiries. In fact, when I was raising these issues, you think I was just saying, "Oh, yeah, and the President's going to be impeached or they're talking about" -- no one was doing that sort of thing.

Q No, I understand. It took the White House a little bit of time to develop their position. They wrote to the Hill on October 8th, I think, which was after you had already -- those 8 or 9 days had already elapsed. And I'm just wondering whether the Secretary was hamstrung by decisionmaking that was out of his control?

A And it could well be. I can't comment on that since I didn't speak with him about it and he didn't speak about it with me.

I also mentioned in my statement, I tried to put what was happening in the context of what happened in the Bureau of International Organizations. You may recall that that investigation was sparked by complaints, allegations of politicization, improper personnel practices, whatever. There's a big title on the report produced by the inspector general.

When that report came out, and the expectation was that there'd be change in the leadership of the International Organization Bureau, it was as simple as that. When it didn't happen, it certainly had a knock on effect on the
Bureau.

You don't have to take my word for it because somebody sat there and leaked a townhall that the deputy secretary and the under secretary -- doing the right thing, by the way, and being open and honest -- it was still leaked. But they also made clear that it would be difficult to move ahead with certain changes that had been expected: for example, the removal of the assistant secretary in charge.

So when you look at the timeframe I'm talking about, I'm not working from sort of, you know. I woke up one morning and gee, you know, no statement for Masha Yovanovitch, I wonder what's happening?

I've been following the IO saga since I came into the Department in the summer -- since I began to work with the Secretary in the summer of 2018. I also came into the Department with the cumulative impact of watching what Secretary Tillerson did to the building. You do reach a point, and I'm 65 years old, where maybe, just maybe I should consider doing something else.

So you combine everything, but it wasn't -- it really shouldn't be cast in I woke up one day. I was concerned about the building. I was concerned about how they handled the IO investigation. I raised my concern about the impact of the IO report and the failure to follow through with more obvious courses of action.
And so I was already developing the sense of, well, I guess I'm not really effective anymore inside the building in one of the two key jobs I think I have here, so perhaps maybe it's time to move on.

Q Right. One of the interesting and complicated issues facing interbranch conflict, whether it relates to -- in the context of a congressional investigation, is that, you know, every matter presents different facts. Every single oversight initiative develops its own rules of engagement, rules of the road, and there's reasons for that. The courts require accommodations, accommodations process requires understanding each side's interests, whether it be protecting deliberative materials or the like.

And so consequently, at the outset of any congressional investigative matter, there is a period of -- paralysis might be a good word to describe it, where each side is trying to figure out how they are going to get to what they need to do their job.

And this matter is different from Benghazi and I'm sure it's different from Iran-Contra and some of the other high profile, important congressional inquiries. Some of the embassy bombings had some extraordinary back and forth. And eventually a, you know, back and forth does settle in. I mean, when the Congress sends a subpoena, you know, it's not an "easy" button, the documents don't just magically appear.
And they don't appear in -- even if the State Department wanted to turn over all the documents, it's not as simple as collecting them, photocopying them, and turning them over. They have to review the documents, they have to understand what positions they're going to take.

And so consequently, I mean, is it fair to say in your experience that it just takes a little bit of time for these conflicts to settle into a point where each side can begin to work with each other?

A You've raised a number of issues here, and perhaps if I can answer it coming at it with a slightly different optic.

You suggest that every engagement has different rules of the road. Well, let's expand that and suggest that everybody who's involved in an issue has a different level of experience with what is happening and has a different view on what is happening. And then some people have more facts or different facts about what is happening.

If I can come back to why I did what I did, which is why I'm here, I may not know everything that was being thought through on the seventh floor. It's absolutely obvious I did not. But what I do know is that good commanders support their troops in moments of crisis.

And the cumulative impact of what I'd seen in the building, notwithstanding everything else that is happening
in with this inquiry, seemed to dictate what was a very simple course of action: Say something.

As for the issue you raise about settling into in effect a battle rhythm and figuring out, especially over a long-term sort of set of engagement, whether it's on the foreign policy issue, to answer your question, or whether it's with the work of the committee at this moment, you're absolutely right, of course it takes time.

Q. Do you feel like you would have been able to influence things if you stayed a little longer?

A. No. That's why -- if I can sort of be clear on this, it's not that I got a reaction or a particularly negative reaction. I didn't get a reaction.

And so to me it was very clear that I really didn't have a role to play on this. But that's fine. I don't run the Department. I don't make the decisions on how policy should be handled. And but --

Q. But your viewpoint is so valuable?

A. Well, I don't make the decisions on how issues should be handled. But I felt that on the central question on which I've built much of my career, which is supporting our people in the Department, if I wasn't able to make any sort of impact in arguing for something I saw that is extremely straightforward and rather limited, then perhaps there were questions about whether I could continue to
influence things, and so I decided to separate.

Q You mentioned Phil Reeker was in agreement with
you. He wanted to do a statement like you suggested, right?
A Yes.

Q And Carol Perez?
A Yes.

Q And Lisa Kenna?
A Yeah, but she doesn't get involved in policy.

Q I'm just talking about --
A Yeah, yeah. But, yeah, I mean you talk to people.

I mean, yeah.

Q But you sent your email to these folks, you talked
to them.
A That's right.

Q And this is the beginning of a consensus-building
exercise of taking everyone's temperature, these senior
people, that collectively if you -- you would hope you'd have
an ability to combine yourselves to maybe talk to Mr.
Brechbuhl and maybe reverse the decision. And I'm just
wondering, it just sort of seems lining a disconnect that you
sent this --
A Well, it's since I did speak with Mr. Brechbuhl and
I did speak to Mr. Bulatao on the following day.
I don't quite see the disconnect. Did I gather a group
together?
Let me say another thing. My experience in bureaucracy is that people don't tend to speak out on certain issues or don't raise their heads on certain issues. And so if it was clear that there was a decision to see how things developed, to use the approach you're suggesting, see how things settle into place, perhaps their view was, well, you know, let's see how far Mike gets.

And I've been in the bureaucracy long enough to know that you don't put guns to people's heads to try to generate support for an initiative. So that was that.

Now, what you're suggesting, why would I not say it's not the sensible approach, of course it is.

Q  I'm not -- let me just be -- I'm not suggesting you should do one thing or the other. You've been with the State Department for 37 years, you've served our country, you can do whatever you want to do. So whatever course, you know, you took I'm not questioning that. I'm just trying to ask you some questions to see --

A  Sure.

Q  -- about your thought process, because it seems like you could have been an influential voice to help the State Department move through this challenging time.

You said rather clearly the President can remove an ambassador at any time for any reason or no reason. When Ambassador Yovanovitch was recalled, did you -- I forget if
you mentioned it, but did you like reach out to her or have any communications with her when she was recalled in April or May when you first learned about --

A No, I did not.

Q Did any other State Department Foreign Service officers come to you? I mean, you had sort of -- you were in a role that sounds like a bit of an ombudsman. Is that a fair characterization?

A I don't know. No, I don't -- you know, if I remember anything, maybe somebody would mention in passing, terrible what happened to Masha, it would be that level of conversation. Nobody came to me formally on this question.

Q Okay.

A No.
[12:10 p.m.]

BY MR. CASTOR:

Q    Was your concern primarily then when you saw the call transcript and you saw the --

A    That's correct. Yeah. You know, because if you take a look at the history of the State Department, you know, across time, people do get removed for different reasons. And what you do want to ensure is that, you know, their careers aren't ended by a decision like that, that there is a soft landing or some support.

And so it seemed, when I ran into Masha, that she was getting on with her life. So I did not engage on that at the time, no, I did not. May I should have, but I didn't. I can't go back and rewrite that chapter.

Q    The fact that she was recalled, had that issue begun to pass, or was it still a bubbling --

A    No. I mean, I don't remember it being raised with me one way or the other.

Q    When did you first learn about the call? Was it when the transcript was made public?

A    That's correct.

Q    So --

A    Well, you know, whenever -- I think, you know, if we go back and look in the newspapers, everything that came out from the whistleblower account onwards. Oh, but when did
I learn about the reference to Ambassador Yovanovitch?

Q  Right.

A  Through the call -- through the --

Q  -- seen the transcript in the news?

A  -- release of the transcript, yeah, that's correct.

Q  And was there any -- before the transcript was released, was there any State Department meeting where you discussed this is a big news story --

A  No, not at all.

Q  So you probably read it the same time we did?

A  Absolutely. And maybe not even then because we were at the U.N., and there were lots of meetings taking place and work throughout the day.

Q  And I think you've told us about all your communications with Ambassador Yovanovitch, and then I understand you also spoke with Deputy Assistant Secretary Kent?

A  Yes.

Q  And could you relate to us what he told you and you told him?

A  On October 3rd, you know, I decided it was time to meet the person I'd talked to on the phone. I think I'd try -- anyways, so, you know, because I remember I did the phone call the previous weekend.

So I went down to his office and sat with him, and what
he told me was that he had been in the starting throes of
pulling together documentation, whatever. I didn't pay
attention exactly, you know, data, documentation, whatever
that had come with a congressional request for documents.

And he told me there were 10 or 15 people in the room
and that among those who participated was a lawyer from the
legal office. I don't have the memo because I don't -- but I
can tell you, he sent it to me that night, okay. But in the
memo -- forget the memo. I mean, he told it to me and then
he wrote it up.

And if I remember correctly, he challenged the deadline
they were working against, why weren't they given the request
for documents on a timely basis and why were they having to
pull together whatever they were pulling together days after
the congressional request had come in.

He also raised what he saw -- there was a response,
which I never read, from State Department to Congress on
parameters for the whatever you were going to do. And he
also raised that there were inaccuracies in there, in
particular about protecting or providing legal support or
services.

And you're going to have to bear with me. I'm trying to
remember the chronology on this. I think we also discussed,
you know, the lack of financial support for paying for
private counsel, which appalled me. It absolutely appalled
And he made a passing reference to, you know, we'll see what happens, you know, when we -- when, you know -- I think he basically said he would have to wait for a subpoena from the committee before he could appear but that he had been engaged in trying to support Ambassador Yovanovitch earlier in the year.

He also mentioned that he thought that the lawyer was trying to shut him up, and so I didn't tell him to write it up. He wrote it up as a memorandum to the files, and he sent it to me. That was that Thursday night. And I felt absolutely obliged to send it to other people on the 7th floor. I thought it was a serious memorandum. I thought it indicated a lack of support that was broader than simply a question of statements.

What was going to happen to other State Department people who might be drawn into the inquiry? It seemed that it was urgent to address the allegations that there was bullying tactics, et cetera. So I passed the memo on, and I didn't get any answer from anybody.

Q Is the letter that Deputy Assistant Secretary Kent was referring to, was that a letter that the Secretary had sent?

A It was a memo.

Q It was a memo?
Yeah. Yeah. You know, it's simply, you know, you write up: This happened. This happened. This happened.

And it was a memorandum to the files. You just have a record.

Q Right. But he -- you related to us that he was concerned about inaccuracies that the --

A That's correct.

Q -- Department had. And was that a letter that the Secretary had sent?

A Yeah. I think it's what was sent up here -- I'm sorry. I don't have the timeline on that, but I think, didn't you say --

Q The Secretary had sent a letter.

A Had sent a letter to you. Was it the Secretary sent a letter --

Q Yeah.

A -- on conditions and expressing his concern --

Q Right.

A -- over how individuals were being bullied and subpoenaed --

Q Correct.

A -- and all this? Right?

Q Uh-huh.

A Okay. So I believe what Kent was referring to was
that letter.

Q  Okay. And did he --

A  I never read that letter.

Q  Other than identifying the fact that he believed there were inaccuracies, did he tell you what they were?

A  Not in any detail, no. And, frankly, to me, the mere fact that somebody feels strongly enough about what they've heard and what they're sensing about what they're saying to somebody who's working on the impeachment inquiry that they need to write it down and have a record of what was said was significant enough. And he definitely characterized it as bullying tactics.

Q  So I think you said that was October -- nobody's holding you to these dates.

A  Yeah. No, October 3rd I actually remember. The days I remember is when I actually put something on paper, which --

Q  Thursday, the 3rd?

A  Thursday, the 3rd, it was sent to me. I think my email -- I don't believe I sent it that -- I don't think I even saw that night. I think I -- I don't remember when I saw it. I sent it on Friday, October 4.

Q  Okay. So just unpacking the timeline, the call transcript is put out, I think, Wednesday, September 25th. The committees evinced an interest in taking depositions on
Friday, September 27. Presumably, Deputy Assistant Secretary Kent developed his concerns on, you know, Monday, Tuesday, or Wednesday of that week.

A What he was reacting to was the meeting he had that day but also how he felt he had been treated by the Department up to that point.

Q Right. And do you remember, was he disappointed or mistreated because he was unable to provide documents or testimony or --

A No. No. I don't remember at all. To me, the key issue at that point was he felt that he was being bullied. To me, you know, I took the headline --

Q Right.

A -- because if we can go back to why I did what I did, I didn't need to sit there and, you know, memorize the details for a simple reason, because once I heard it, once I read the memorandum -- by the way, having it in writing in the system it was already a record which should cause concern to the legal adviser's office and to management in the building. And so, for me, that was enough. This is happening. You know, the issues I've been trying to raise about impact on the Department are real. We need to do something.

Q Okay. But, as you sit here today, you don't remember whether he was disaffected by not being able to
produce documents or --

A No. No, I don't even believe -- oh, disaffected?

Q Angry?

A No. On the documents, sorry, it was whatever they

were being asked to do, all right, that they weren't going to

have enough time to do whatever it is they were being asked

to do. That's what he was angry about, okay, concerned

about.

Q Okay. But they had tried to set up a tight

timeline?

A Oh, I don't know.

Q Okay. I'm just trying to understand --

A Yeah. No, I understand the questions, and I wish I

had better answers. I wish -- but I don't because I don't

remember the details on that. What I do remember is what he

saw as accusatory behavior from the L lawyer in question, and

he put it on paper. That is an usual thing to do.

Q Right. So writing a memo to file about an

interaction like that, is there relative --

A He didn't just talk about the interaction. He

talked about the letter, the content of the letter, and then

the interaction, yeah. There was a lot on the interaction.

Q So that would be an extremely rare occurrence --

A Yes, absolutely.
Q -- for someone to create a memo --
A Absolutely.
Q -- to the file about something of that sort?
A Yes.
Q And so the fact that he did that caused you to take it very seriously?
A That's correct.
Q And when you pass that information on, do you remember who you passed it to?
A Yes. I passed it on to the Under Secretary For Political Affairs and to the legal advisor. That was my first step. And then I decided to add the Deputy Secretary. And no one, I mean, literally, not one word was said to me about it.
Q Okay. So you passed it on Thursday, the 3rd, or Friday, the 4th?
A I think it was Friday, the 4th. I'm pretty sure it was Friday, the 4th.
Q Okay. And so nobody from the legal adviser's office called you?
A Nobody contacted me. I called the acting legal advisor on Thursday to -- or did I call him on -- I can't. I apologize. Wait a minute. No. I tried all day Friday to reach -- to get a minute with the acting legal advisor. And so I did let him know this was coming. I thought it was
Q Okay. And did you relate your concerns to the other group of officials that you had been --
A I put it in writing.
Q But did you talk to Phil Reeker, Lisa Kenna?
A No. By that stage -- sorry, by that stage, I'd already decided, well, this is the way it is. Whatever is going to happen is going to happen, but I'm not going to be in the building much longer. So I'm passing on the concern for general review.
Q We just have a couple of minutes left.
A Please.
Q Before our round is out, I like to pivot to our members to see if they have anything they want to ask you. That's what we've been doing in these.
A Yeah. Sure. Sorry.
MR. JORDAN: What exactly did you put in writing?
MR. MCKINLEY: So get the memo to the files, right, the memo to the files that was sent to me. And so, on top of it, I said, I'm forwarding the following report, which is of concern on a number of levels. It includes allegations of intimidation and bullying and questions accuracy -- I don't know whether I used the word -- and raises questions about whether there are lies in statements, you know. And then I said: And this is why we really need to do something
forcefully for our colleagues in the Foreign Service.

And I also mentioned, frankly, the legal fees concern

that I had.

MR. JORDAN: Yeah. Because you were going to have to

hire outside counsel, and you would not be able --

MR. MCKINLEY: Oh, yeah, well, that's a nice question,

but, no, absolutely not. Until I received -- when was it got

the note from Mr. Noble? It was Saturday, midday, afternoon,

I hadn't talked to any lawyer. You can check with anybody

who knows me.

MR. JORDAN: I'm not --

MR. MCKINLEY: I had to be talked into approaching a

lawyer. I didn't want to deal with legal. My approach to

coming to this was -- I saw the request. I answered it

before I even talked to any legal counsel. And my approach

was, why should I need legal counsel to come here and talk

about this? But that's not the way Washington works,

apparently.

MR. JORDAN: No, I understand that.

In your opening statement, Ambassador, just so I know --

MR. MCKINLEY: Sure.

MR. JORDAN: -- third paragraph, you talk about the

State Department Foreign Service employees caught up in the

inquiry on Ukraine. And so it's plural, and I just -- and

we've talked about Ms. Ambassador Yovanovitch. You've talked
about Secretary Kent. Is there a bigger list there? Is that --

MR. MCKINLEY: Apparently, there is. Sorry. Apologies.

MR. JORDAN: I just want to know who you're talking about when you say "employees."

MR. MCKINLEY: Well, I understand Bill Taylor is coming back, our Charge in Ukraine. And, you know, by the way, to show you that I wasn't sitting there trying to look at every document that was coming out, I hadn't looked at what was sent over by the committee, that George Kent referenced, and he showed me the communication from the committee, and I just glanced at it and I saw Taylor's name on it and the suggestion that there might be others. And so that's why I put that there. Sorry.

MR. JORDAN: Okay. So your concern with State Department employees is that the employees refers to folks that have been subpoenaed by --

MR. MCKINLEY: That's correct, sir.

MR. JORDAN: -- and asked to come testify? Okay. I just want to be clear.

MR. ZELDIN: Ambassador McKinley, earlier on, I believe you were testifying with regards to a hollowing out of the State Department under Secretary Tillerson. Is it accurate -- did you use the term "forced to leave" or "forced out" in describing that hollowing out? I just want to
understand your earlier testimony.

MR. MCKINLEY: Yeah, I did. And my understanding is there were people -- do I know firsthand that people were -- sort of said, "Your services are no longer needed here"? I probably don't. But, you know, I heard, you know, stories of people sort of being told, "Your services are not needed," particularly at the more senior levels. So that's what that was a reference to.

If you want me to take the word back and say everybody resigned on principle -- sorry. Actually, I don't take it back. I remember when I first started using the term, when they cut the promotion rates 40 to 50 percent for senior ranks. Yep, that's a way to get people to leave. And it's just using the system by changing the rules of engagement, and there's nothing illegal about it, but you can certainly bring numbers down very quickly.

MR. ZELDIN: But you don't have any firsthand knowledge of any individual members of the State Department being forced out?

MR. MCKINLEY: You know, I could go and dig, but right now, given that we're talking about a process that took place some time ago, no, I don't, and I'm not going to try to gild that.

MR. ZELDIN: Thank you. I believe we're out of time.

THE CHAIRMAN: Why don't we take a half-hour lunch break
and resume at 1 o'clock?

MR. MCKINLEY: Sure.
[1:10 p.m.]

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

Mr. Ambassador, I want to briefly follow up on some of
the questions that my colleagues on the minority asked, and
then I'll hand it back to Mr. Goldman to continue through the
timeline.

You made reference to an inspector general report whose
recommendations were not followed. Can you tell us a little
bit about what that inspector general investigation was
about, what the inspector general found, and what their
recommendations were?

MR MCKINLEY: Going back to the, I think, summer of 2018
there were allegations that individuals, particularly from in
front office of the International Organizations Bureau, were
being targeted on political grounds by the Assistant
Secretary, if not the Assistant Secretary, one of his key
assistants, somebody -- if I remember correctly, her name is
Mari Stuhl (ph).

And at the time, that was when I was coming into the
building, and at least two of the three Deputy Assistant
Secretaries I spoke with and raised the issue. But it was an
issue which was already well known inside the building, and
there was a decision to refer the matter to the inspector
general.

My impression across the many months that followed was
whatever had happened before in the Bureau and perhaps throughout the building, we're still waiting for the second iteration of the inspector general's report on the similar subject, that concerns about politicization pretty much disappeared and with the focus on returning to systems and professionalism in the management of the building. That was my impression. That's what I'm suggesting to you.

When the report came out, I will be frank, I just glanced at the headlines, but the assumption was that the Assistant Secretary would be asked to step down.

THE CHAIRMAN: And I'm sorry, who was that assistant secretary?

MR MCKINLEY: Moley, Kevin Moley. And when that didn't happen there was a significant reaction among people in the building. I repeat, it's not me saying so. This came across in the townhall, which Under Secretary Hale and Deputy Secretary Sullivan held with an International Organization staff.

Marie Stuhl, I think, was long gone from the building at that point, but the expectation was to be able to have a completely clean sheet going forward, that it would be helpful for the Assistant Secretary to move on. And when that didn't happen, this reaction set in.

I'm going to say again: I worked on many different issues. I took the headline of the report, which is that
there were indeed improper personnel practices and targeting of individuals, and I didn't sit and look at and basically organize offices differently or meetings differently, that sort of thing, you know, I didn't get into that level of detail. Sorry I didn't.

THE CHAIRMAN: When you say that individuals were targeted improperly or politically, what do you mean by that?

MR MCKINLEY: Well, that's what the report's entitled. So what I was aware of when I first came into the building and started speaking to my colleagues at the time, back in the June/July timeframe of 2018, and I spoke to colleagues in the International Organization Bureau, they felt that tabs were being kept on them in terms of whether they were loyal, whatever that means, to the administration or not.

I can't get more specific than that because the specifics might be related to individual policies and questions of how policies were being pursued, but that was certainly the very strong impression I think of all -- of three of the Deputy Assistant Secretaries, career Deputy Assistant Secretaries who were in position at the time.

And that was the documented both in the media before the report came out. When the initial report started coming out on this was sometime last year, and it was documented in the report. Now, but I -- so I'm sorry, again --

THE CHAIRMAN: Yeah.
MR MCKINLEY: -- I can't give you the specifics.

THE CHAIRMAN: That's fine. I just want to understand what you knew of this report and the recommendations.

MR MCKINLEY: Could I underscore that when the issue came to light last summer, one of the -- at least two of the individuals, one of them stayed on in the front office. So I want to underscore that under Secretary Pompeo, there wasn't an effort to remove anybody that was involved in raising the concerns and were supported for ambassadorships and so on.

So I want to make a clean break, if you will. What I can't make a clean break on is that the expectation, however long the inspection would take, was that there would be a conclusion that would lead to a decision to retire the Assistant Secretary. That didn't happen, and that certainly made people, again, think, what's going on?

THE CHAIRMAN: So, when the Assistant Secretary running that bureau, that Office of International Organizations, wasn't removed notwithstanding the inspector general's findings of politicization or targeting of individuals in a political way, was it your sense that this was having an adverse impact on morale in the Department?

MR MCKINLEY: Absolutely. And it wasn't only my sense; it was certainly a sense shared by the director general and the Under Secretary For Political Affairs.

THE CHAIRMAN: Now, you raised at least a couple issues,
it sounds like, with the 7th floor you've talked about today. One of them was obviously your concern about a statement supporting this career public servant, Ambassador Yovanovitch. And I think you said that the response essentially you got from the Secretary himself was silence. Is that fair to say?

MR MCKINLEY: It is. I did not get anything that would approach a substantive response from anyone.

THE CHAIRMAN: And, likewise, when you raised with the 7th floor the seriousness of what Ambassador Kent or Secretary Kent put in a memo complaining about, among other things, false statements by the State Department in response to Congress, that was also met with silence, wasn't it?

MR MCKINLEY: That characterization is to the best of my recollection. We'd have to look at the memo again, but it is to the best of my recollection, and, yes, it was met with silence.

THE CHAIRMAN: And silence is a kind of response in and of itself, isn't it, when you raise a serious issue and there's no action taken and you're not given an adequate explanation for why no action was taken?

MR MCKINLEY: Yes, it is. And if you'll allow me, I don't want to leave the impression here that the decision to resign was a sudden one based on 72 or 96 hours or, you know, I don't get a response, and, therefore, I decide to take off
without allowing the time for resolution. The reason I mentioned the IG report was this was definitely something that was already hanging over the Department in that period.

But, second, I don't need weeks to recognize what the impact of having the President of our country state certain things about one of the career officers to know what the impact of that can be on the service without some kind of correction or reaffirmation from the leadership of the Department.

THE CHAIRMAN: I want to ask you more about that, but before I do, I want to ask you a little bit more about the discussion with Secretary Kent. And, you know, you're hamstrung and we're hamstrung because the State Department has refused to give us the memo that he wrote. Otherwise, we would show it to you and ask you about it.

But let me ask you about this because you mentioned that he was concerned about bullying. One of the representations apparently made in that letter from the State Department was that State Department witnesses like Mr. Kent or perhaps yourself or others were being bullied, not by the State Department but by Congress. But what Mr. Kent was raising with you was his concern that he was being bullied by the State Department. Is that correct?

MR MCKINLEY: That's correct.

THE CHAIRMAN: And he felt that what the State
Department had represented to Congress included something that he thought was a lie.

MR MCKINLEY: "Inaccurate" is the term I'll use because, again, without looking back at the memo word for word, I do want to be, on a subject like that, as accurate as possible. He did question the way it was being presented, absolutely.

THE CHAIRMAN: And I think you said he conveyed to you that he thought that the State Department lawyer, perhaps among others, was trying to shut him up. Is that right?

MR MCKINLEY: He did, and he focused specifically on the lawyer.

THE CHAIRMAN: Just a couple of questions about your resignation, and I don't think anyone here is under the impression that this was a hasty decision that you made but a principled decision. And I think at the outset of your testimony, you said that this was not how you expected or had hoped to end a decades-long career in the Foreign Service. Is that right?

MR MCKINLEY: That's accurate.

THE CHAIRMAN: And I think you've articulated a couple of reasons, but I want to make sure that I understand them, for why you made this decision after 30 or 40 years. And is it fair to say a significant part of the reason you made that decision was the failure of the State Department to back a dedicated public servant, Ambassador Yovanovitch, when she
was being unfairly maligned?

MR MCKINLEY: That is correct.

THE CHAIRMAN: I think you've also said that part of the reason why you decided to resign was that you couldn't be blind to what was happening, and what was happening was efforts to use the State Department to dig up dirt on a political opponent. Is that fair as well?

MR MCKINLEY: That is fair. And if I can underscore, in 37 years in the Foreign Service and different parts of the globe and working on many controversial issues, working 10 years back in Washington, I had never seen that.

THE CHAIRMAN: And I think you've just said also that you didn't consider these two acts or motivations in isolation but rather in the context of a department that also wasn't adequately responding to politicization within one of its bureaus?

MR MCKINLEY: I would like to recast that because I do believe the Secretary substantially changed the environment inside the building. Following the start of the inspector general's investigations, as far as I can tell, because once these investigations start, you're not talked to again and you shouldn't be. It's a very separate, independent institution within the building.

But what was clear to me across the months was that the Bureau began to return to functionality without complaints
coming back up to me directly or indirectly about
politicization, that the individuals who are -- I believe
were interviewed for and referenced in the report, did not
suffer consequences and, in fact, were supported in either
staying in position or moving onto positions of greater
responsibility.

So I do want to make very clear, in my timeframe with
the Secretary in the building, I have not seen politicization
of the building per se. What I was trying to reference in my
statement -- and we do have to speak about special envoys and
an ambassador in the field, and I'm referring to Ambassadors
Volker and Sondland, as part of the State Department.

And it's certainly nothing I knew about before the
revelations began, but once they did, it was extremely clear
to everyone -- I don't think it's in dispute on any side of
the debate -- that they were State Department officials being
used in a way that certainly didn't fit into any past example
we can think of.

THE CHAIRMAN: Because they're being used to dig up
political dirt on an opponent?

MR MCKINLEY: That's correct.

THE CHAIRMAN: And just to summarize then, is it fair to
say that, but for those actions, the use of State Department
personnel to dig up dirt on an opponent and the failure to
come to the defense of a dedicated public servant, but for
those two factors, you would have been very happy to continue
your career --

MR. MCKINLEY: I would have considered -- no, I wouldn't
have considered. I was planning to stay until the end of the
year. I was planning to retire before the end of the year,
absolutely. I thought that I did need to start thinking
about other parts of my life. But, no, I had no intention of
resigning when I resigned, no.

THE CHAIRMAN: Thank you.

Mr. Goldman.

BY MR. GOLDMAN:

Q Thank you, Mr. Chairman.

Just so we all understand the sort of framework, I just
want to go back to kind of the sequence of events. I won't
reiterate some of the things you covered, including
Mr. Kent -- your meeting with Mr. Kent and the meeting on
October 3rd.

But where we left off last round was your meeting with
Secretary Pompeo on September 30th when you notified him of
your intent to resign. And I believe, correct me if I'm
wrong, that you testified that he gave no meaningful or
substantive response to your concerns about the support for
Ambassador Yovanovitch or Mr. Kent. Is that right?

A That's correct. But I don't remember using names.

Specifically, it was support for our career professionals. I
made a generic point.

Q    Understood.

Did you meet with anyone else or speak to anyone else that day about this issue on September 30th? Do you recall?

A    No. On the resignation I only told two people because I had to begin, you know, sort of looking at processing paperwork. So I spoke to the director general, and I spoke to the executive secretary, who I worked with and saw every day.

Q    Lisa Kenna?

A    Yeah. But I did not tell other people at that point. When I realized -- I don't have to realize. It's like any bureaucracy. Once the paperwork begins to flow, people begin to talk. And certainly by the end of the week, that's when I made the decision to talk to the counselor of the Department, Mr. Brechbuhl, and the Under Secretary For Management and let them know as well, and the Under Secretary For Political Affairs.

Q    Okay. Did you explain to Lisa Kenna or Director General Perez why you were resigning?

A    Yeah. I made the point that I didn't feel I could continue and be effective, no. I made the point, yes.

Q    The same point about the statement?

A    The same point, yeah.

Q    And what was their response?
A. Well, they didn't want to see me leave. But, I mean, these conversations were no longer -- I was just talking with colleagues. The decision is made. I'm not sitting there re-debating, you know, can we do this, can we do that.

It was pretty clear to me that -- and they certainly weren't going to be the decisionmakers if I did continue to pursue it, which I did in the conversations with Brechbuhl, Bulatao, and Hale. But I pursued it in short conversations.

I mean, you know, you can read when you're not going to get a response. And you can sit there and grandstand, or you can sort of accept the decision is made, and it's now beyond -- my concerns have been listened to, and I need to move on, make my own decisions.

Q. You described bringing up the idea of the concerns -- bringing up the concerns about support and the idea of a statement at an Under Secretary's meeting. Is that --

A. Yeah. But I did it in exactly the way I told you, a throwaway sentence and on -- you know, look at what's happening out there. It's having a dramatic impact on the morale of the building. That was the extent of my statement. And the Deputy Secretary sort of underscored the importance of continuing to have people focus on the mission of State, that that continued regardless of what was happening. That
was the end of the conversation.

Q  Do you --

A  I mean, it's a legitimate thing for the Deputy Secretary of State to say. I'm not questioning that.

Q  Just so we get the timeline, do you remember when that meeting was?

A  I don't know if it was -- I think it was October 1st, or was it September 30th. I don't remember. It's one of those 2 days.

Q  Okay. And before you met with Mr. Kent on the 3rd, did you have any additional conversations where you advocated for a statement of support or something similar?

A  No. No. So, you know, I was trying to recollect last night, you know, how many times did I raise it? And when I say "raised," I wasn't sitting there, you know, sort of coming in with a sledgehammer to, you know, belabor the point. I was raising it just consistently. But that October 3rd is also the day I believe I spoke with Brechbuhl and Bulatao as well as Kent. That's my recollection.

Q  And did you speak with Brechbuhl and Bulatao together or separately?

A  Separately. And it was first in the context of "I'm resigning, by the way," and then, you know, they questioned why. And then I went over what I believed needed to happen. And, you know, I think -- I don't know which one
or maybe both suggested that the steps that were being taken
were the appropriate ones for providing support given an
evolving situation, whatever -- nothing specific but not
addressing the immediate concern, which I felt very strongly,
which was needing to message the Department as a whole and
the individuals in question.

They weren't hostile discussions. They were perfectly
friendly, in the sense that there was no berating me for my
decision to step down, just questions about it. So that's
the context those took place in.

Q  Do you remember if those meetings were before or
after you met with Mr. Kent?
A  I'm pretty convinced -- I'm sorry.
Q  Don't apologize. To the best of your recollection.
A  To the best of my recollection, they were before.
Q  Okay. And are what was Mr. Brechbuhl's response to
you reiterating your concerns?
A  He just listened carefully. That's all.
Q  Did he empathize at all or sympathize?
A  No, there were no expressions one way or the
another. Like I said, I can't remember who said, you know:
We're trying to, you know, make sure people have time to do
things, this, that.

But I'm not going to put -- since I can't remember who
said it to me, somebody said it to me in the context of those
two conversations. And so -- but, you know, again, nobody
was being belligerent with me about it.

Q  Understood.

Were there any specifics as to what those other
procedures were that they were referencing?

A  No. I mean, I think it was just a variation on the
theme: Give people time to get organized and prepare for the
testimonies to come, et cetera.

It was pretty much what's already been said publicly, I
think.

Q  Did you know about the subpoena for documents
before you met with Mr. Kent on the 3rd?

A  Before lunch break, I think I tried to answer that
I knew from the news about the subpoenas, right. And I'm
sure I assumed that it included requests for documents as
well as for depositions. I had not seen it. And so George
had a copy of the -- I guess it's the subpoena. I didn't
even sit there and look. He just showed me.

Q  Right.

A  You know, and that's where I saw the additional
names that you were intending to call.

Q  And were you aware that the committees had sent a
letter to the Department on September 9th just requesting --
A  No, not at all.

Q  -- documents?
A: Not at all.
Q: So you said that --
A: In fact, I just learned that now, so, okay.
Q: You said that you sent your memo -- or, sorry, you sent Mr. Kent's memo to Mr. Hale, the legal advisor, Mark String, and Deputy Secretary Sullivan, right? Did you do that all at once or --
A: No. I sent to Hale and String first, and then thought about it and figured the Deputy Secretary should have it too.
Q: And just so we are clear, none of the three actually responded to your email?
A: They didn't respond to the email. They didn't talk to me about it. They didn't telephone.
Q: Okay. And you said that, on the 4th, you were trying to get a minute of time with Mr. String. Is that right?
A: Only to tell him that I would be sending that.
Sorry. So I sent -- I forwarded the document, but I didn't forward it until I had a chance to tell the legal advisor I was sending it because I thought that was courtesy.
Q: Were you able to get in touch with him?
A: Yes, eventually. I think that day I was able to reach him late, late in the afternoon. By the way, he wasn't avoiding me; we were missing each other on calls and so on.
Q: Okay. And what did he say when you indicated you were sending this?
A: Just that he would have preferred to have it in hard copy, and I said I preferred to send it electronically.
Q: Why did you prefer to send it electronically?
A: Because I wanted a record.
Q: And did you get the sense that he didn't want a record?
A: No. I'm not going to characterize because I don't know, and so -- but I certainly felt it was important to have this on record.
Q: Did you expect a followup to referring this memo to these individuals?
A: No, I did not.
Q: Why not?
A: Because my assumption -- and, yes, it's a concentrated period of time, but when people are not really willing to talk to you about an issue you're raising, people are not really willing to respond as you explain the reasons for your resignation.
And I had good personal -- good professional relationships, I think, with all of these individuals. So I am not here to, you know, question whether there's second layers of how they dealt with me. So I interpreted the lack of a response as a response, that this wasn't something they
were going to engage on me with.

Q And did you have any further conversations on Friday, October 4th, before the weekend that you can recall on this topic?

A No.

Q All right. Just so we understand clearly, from the time that -- or from September 26th or 27th, when you first had the conversation with Secretary Pompeo, until October 4th, you made your feelings known about your desire for a statement to support Ambassador Yovanovitch because of your concerns about morale to Secretary Pompeo, Deputy Secretary Sullivan, Counselor Brechbuhl, Executive Secretary Kenna, Under Secretary for Management Bulatao, the communications director Ortega, Director General Perez, and Under Secretary Hale, correct?

A [Nonverbal response.]

Q And at no point did you receive a -- sorry. Can you say -- you nodded.

A I said that's -- the list is correct, but the -- I certainly -- Carol -- I think I already said earlier that a number of people were absolutely supportive of doing a statement.

Q Fair enough.

A And doing a statement. I mean, you know, we're focused on statement. I was looking at expressions of
support. It can take many forms. It can take townhalls. It
can take just a message inside the building. It doesn't have
to be a press release. It's just a signal that the building
has the back of its employees.

Q Would an internal email from the Secretary have
been meaningful to you?
A Yes.

Q And even that wasn't done?
A No.

Q Did you have any additional conversations over that
weekend of October 5th or 6th with anyone?
A I had one phone call, October 6th, Sunday evening
with the Under Secretary For Management, who said, you know,
did I, you know, want to perhaps put on paper some ideas of
how this might be approached in terms of messaging, and that
he was prepared to perhaps raise this with the Secretary.

I decided not to put it on paper because I thought it
was an unusual request, and I just discussed it with him the
following morning, October 7th, in the same terms, a message
which says, you know, got your back, you know.

I may have mentioned at that point, and our policy on
Ukraine is well known. We support, you know -- you know, I
think the Department, Secretary Pompeo has been very
forthright over the time he has been there in supporting
Ukraine against Russia, you know, just simple things, a
couple of things like that. So that was it. It was another
2-minute conversation. And that was probably --

Q  Just before we move on, you mentioned a few --
there were a few other things as well that you might have --

A  No. Well, to me, I would have thought it important
to cooperate with a congressional inquiry, but anyways -- but
that's simply -- that's a personal view, and, obviously, the
Department has a legal position on this.

So it would have been the support for the troops, you
know, perhaps looking at, you know, yeah, we're doing the
right thing on policy, and we will work methodically on
responding to Congress within, you know, the rule of law. It
was generic, I mean, taking as long as I'm saying it now. It
wasn't something I was sitting there: And this is why and
this is why and this is why.

It was simply, you know, a quick, short list of
suggestions. That was it.

Q  Why did you not want to put that in writing on the
evening of the 6th?

A  Well, I'd spent a week with people not answering
me, and so I've been a bureaucrat long enough. That's a
message, and I'm not going to be the one initiating again a
trail. For what purpose?

Q  Were you --

A  And I had already explained to people I was
resigning. You know, I think it was, perhaps, you know, just a legitimate outreach, but that's the way I handled it.

Q Were you frustrated at the lack of response?
A I don't have emotions like that anymore. It was a reality and --

Q You've been in a bureaucracy too long.
A And so the fact of the matter is -- I'll repeat what I said earlier -- I don't get to decide, make the final decisions. I can present a point of view. It can be accepted or not accepted, but I think I can read when it's not accepted.

And then I, in this case, for some of the reasons we've already discussed, I felt that it required a more forceful reaction. And if I can also repeat, I do feel that inside the building there was an expectation of, sorry, not a -- a dismay that there was no reaction from anybody in the career Foreign Service at senior ranks to do something more public in support of our colleagues.

Q Did you feel that an email would be futile?
A I didn't think about it. I just decided: Not tonight, and I'll talk about it in the morning.

Q You mentioned one thing about the rule of law and complying with the subpoena in your conversation with Mr. Bulatao on Monday. Was --
A But it was a throwaway, you know. It's, yeah,
shouldn't we respond, you know. I can't build this up into something it isn't, you know. It's a throwaway thought, that sort of, doesn't it make sense to just sort of work through the issues and see how we can move forward in response to Congress. That's it.

Q  Understood.
A  Yeah.

Q  It's just the first time you had mentioned --
A  Yeah, okay.

Q  -- raising --
A  And, frankly, I'm just remembering that right now, but that did happen.

Q  And that was my next question, is, was that the first time that you had raised --
A  The congressional thing, that directly, yeah.

Q  And do you know what prompted you to raise that matter?
A  Just 37 years of being in the government and realizing this isn't going away. That's it.

Q  And had you come to understand that the State Department had not complied with the subpoena --
A  No, I didn't --

Q  Sorry. Just one second. Can I finish?
A  Oh, sorry. Sorry.

Q  Just so the record is clear. Had you come to
understand that the State Department had not complied with
the subpoena deadline of October 4th?

A  No, I didn't know that.

Q  Okay. Did you --

A  I didn't focus on it. To say I didn't know, I
don't know. It just wasn't the top of my mind, no.

Q  But were you aware that the Department --

A  -- I knew there was a deadline because that was
part of the conversation with George Kent about the short
timeframe he had to pull together whatever it was. And so I
assumed there was a deadline. Did I know by October 7th that
the Department had not responded to the subpoena, no, I
wasn't focused on that at all.

Q  Did you know that the Department was either
resisting the subpoena or intended not to comply?

A  No, I did not know, and nobody ever said anything
of the sort to me.

Q  Okay. You had said in your opening statement that,
I believe it was on October 7th that you decided to expedite
your departure. Is that right?

A  Yes.

Q  And what happened on that day, or what prompted
that decision?

A  It was over the weekend I just decided that the
lack of interaction or response to me demonstrated that this
was up, that I didn't have anymore a meaningful role to play even in the timeframe I had posited from our retirement up to, you know, sometime in November. And so I just wanted out, if I can be frank.

Q So it was within a week that you ultimately decided that your original plan was not going to work?

A Well, that I didn't want to continue working in this environment, that's correct.

Q Okay. Were there anymore discussions that week before you left about with -- well, did you have anymore conversations with Secretary Pompeo?

A Just regarding the resignation and, you know, the -- and I've raised again but, again, you know, I don't want to dress it up. So I said, "You know that one of the reasons was" -- it was that kind of conversation, but nothing substantive on that score.

Q And how did he respond?

A Again, nothing. There was no substantive response at any point to the issues I raised.

Q Did you find that surprising and remarkable?

A Yes, which is one of the reasons I decided it's time to move on. But I know I'm belaboring the point. I've been in 37 years, as I keep getting reminded. I know that I'm supposed to follow -- you know, that, in the State Department, we do have a fairly open system about people
pushing back, not facing retribution, having the discussion, but then decisions get made. This decision was made. It happened to be -- or it seemed -- let me rephrase that -- seemed to me to be made.

I take your point about perhaps there has been discussions about an evolving response. If so, I wasn't part of it.

But it seemed to me a decision had been made. And because of the other reasons I've outlined, which is my concern about the silence impact on the building and the perception that the State Department overseas was being used in a certain way -- it was, you know, what was I sticking around for?
[1:50 p.m.]

BY MR. GOLDMAN:

Q Based on your four decades of experience, and much of that overseas, do you believe that there are any national security concerns or consequences from these attacks on the career diplomats or the politicization of the State Department?

A Since this is the specific instance we're dealing with -- but the reason I mentioned the IO Bureau and what -- the reason I can't be more specific about the IO Bureau is because everything that happened that led to the investigation happened before I arrived last summer to work with the Secretary. And, within a month or two of having arrived, the issue had already been referred to an inspector general for investigation.

But it was very clear to me at the time that the investigation was into the allegations of politicization of the Department.

When the transcript was released and, frankly, the information that just poured out every day from the media, when the Volker-Sondland emails were released, it became clear to me that State Department officials, if not the State Department itself, were being drawn again into the domestic political arena in some way. And I repeat: I feel that this is not the way we maintain the integrity of the work we do
beyond our borders. We're meant to project nonpartisanship overseas.

And even in an increasingly -- an atmosphere where we debate issues more openly as a society -- and we're not the only country that does so -- it's still important within the professional Foreign Service to be able to come across as representing the administration, whomever is President, but also to do so professionally on foreign policy issues impacting either bilateral relations, regional questions, multilateral issues, economic issues. But we cannot mix it with the internal concerns.

So, yes, I think anybody you speak to in the Foreign Service -- I can't take a poll of Foreign Service officers, but I think -- my impression is the overwhelming majority would feel the same way I do.

Q And just because you are, sort of, the dean of the Foreign Service, can you explain to us what risks might accompany the politicization of the Department that you've referenced in those text messages or reading the Presidential conversation in the call record? How does that actually have an impact on the United States abroad or on the Foreign Service officers who are serving around the world?

A Well, first of all, I don't consider myself the dean of the Foreign Service. I think there's many distinguished Foreign Service officers who continue to
provide leadership in the building and in the field.

The impact is -- because we haven't lived this and because, I think I've already said, I don't believe that there has been any further politicization of the building in the time I was with the Secretary, it's a potential impact down the road.

And I have seen other Foreign Services where it's very clear what people's political leanings are and, the more senior those bureaucrats are, how they play the game with different governments that are elected in their countries.

The beauty of the Foreign Service, the Foreign Service that I've known through some incredibly difficult moments for our country and in bilateral relations with different places, is I don't know the political views of the vast majority of my colleagues. They certainly don't know mine. And we are able to work together and project working for the administration of the day.

That's absolutely central to our work. The day we begin to identify ourselves as partisan, that capacity to project support for the interests of the United States and to do our work for administrations -- we are bound to work for the administration that has been elected by the American people. But you begin to break that down if you begin to inject politics into the equation.

Q You were in the front office of various posts for
the better part of 25 years, and you would have had an
opportunity to review. I assume, or be present for
heads-of-state meetings or review transcripts and memoranda.

When you read this call transcript, how did it compare
to any other heads-of-state conversations that you've ever
been privy to?

A On that one, I'm going to retreat to the classic --
as a former State Department official, the classic State
Department language. Everybody expresses themselves in their
own way. What you hone in on in the transcript is, you know,
the comments that were made about Ambassador Yovanovitch.

But on the broader issue of what was going on in that
conversation, I'm like anybody else; I'm waiting to see what
the committee produces, what else emerges, how this is
explained --

Q But what about the call -- what about the parts of
the call that you have referenced to be about digging up dirt
on political opponents?

A Well, no, the part of the call that I referenced --
the call is about Ambassador Yovanovitch -- the comments
about Ambassador Yovanovitch. I have not made comments on
any other aspect of it.

Q Well --

A I have referenced the Sondland-Volker emails,
because, frankly, you know, it very much looked like they
were discussing some form of exchange.

Now, I repeat: I'm looking at the news like everyone else and seeing where this goes. But I'm not going to sit there and draw the conclusion instantly about what was being discussed. I'm sorry.

Q No, that's fine.

And I guess just one last question before our round is over, is that at any point in any of your conversations with any State Department employees from the time that you decided to resign or you pressed this issue about a statement, did anyone reference to you the views or the thoughts of the President of the United States?

A No. Not at all.

MR. GOLDMAN: All right. Thank you. Our time is up. I yield.

MR. MCKINLEY: Thank you.

BY MR. CASTOR:

Q Under Secretary Bulatao, on Sunday the 6th, asked you to --

A I believe that was the date. Asked me to put some thoughts on paper.

Q But, by that point, you figured it was over?

A That's correct.

Q When did you send those -- like, the email to Mr. String and the other individuals?
A Friday, October 4th. Yeah.

Q And you didn't do your own memo; you were just forwarding --

A No, I did not. I did -- I think you asked me or, sir, you asked me, you know, what did I say. And it was, I'm forwarding this --

Q Right.

A Yeah.

Q And you told us, but when was the date that you sent the first email to Carol Perez and --

A The 28th of September. Sorry.

Q Okay. So it had been --

A About 6 days earlier.

Q Okay. So, by the 6th, Sunday the 6th, you sort of saw where this was going?

A That's how I felt, yes.

Q Did Bulatao, in his conversation with you, give you any indication that perhaps he was asking you to do that so that he could socialize the concern and --

A Yeah. He suggested, give me some ideas to work with. Yeah.

Q Okay.

A But, as I said, I decided not to put it on paper.

Q Do you think he's influential enough to take that idea and --
A Yes. And if there's an impression I do not want to leave here, is I believed -- I had good relations with virtually all the individuals I have mentioned. This isn't a question of, sort of, a difficult working environment or difficult working relationships with the individuals concerned. I think we had worked very well together in the time I'd been there on different questions.

Q Is it possible that the email that you sent to Under Secretary Hale, Perez, Ortagus, Kenna, Reeker, and then subsequently String, all these officials, is it possible that they, on their own, decided that, hey, let's have Bulatao call the Ambassador and --

A I don't want to speculate, because I have no idea.

Q Okay.

A I don't want to impute motivations.

Q Okay.

A I believe the individuals I've referenced want the best for the Department. I'm not here to, you know, sort of, give them a bad name in that respect. I'm talking about how they approached an issue which I did see as central to the morale and well-being of the building.

The articles which were proliferating at a certain point, first on Yovanovitch, then on embassy -- not embassy -- State Department morale, they don't come out of thin air. And so, as you look at this, it was just clear to
me, this wasn't just my perception, there was a broader
concern. And that's what I was trying to address.

Q   One of the -- you know, you mentioned that you'd
concluded that Volker and Sondland were being used.

A   They were part of. I have no idea if they were
being used. I did say "used," meaning -- yes, I guess,
technically, they were being used.

Q   So we spent some time with Ambassador Volker. You
know, he walked us through the conundrum of Rudy Giuliani,
that this is somebody that had the President's ear that was
contributing to a negative narrative about the state of
Ukraine, the state of President Zelensky's initiatives to
undo corruption. And Ambassador Volker, you know, gave his
side of the story, and he explained why he waded into the,
you know, Mayor Giuliani space.

And, you know, different people can reach a conclusion
that he should never have talked to Mr. Giuliani or he
should've never taken any information he got from
Mr. Giuliani and talked to some of the Ukrainian officials.
But, you know, his side of the story hasn't been fully
incorporated into some of the public news stories. Is
that --

THE CHAIRMAN: Counsel, do you have a question for the
witness?

MR. CASTOR: Yes.
THE CHAIRMAN: Okay. Because — and, again, we're not
going to be able to confirm whether the representations about
Mr. Volker's testimony are accurate or not accurate. So you
should just respond —

MR. MCKINLEY: Sure.

THE CHAIRMAN: -- within the confines of your knowledge.

MR. MCKINLEY: Okay.

BY MR. CASTOR:

Q So what I'm trying to get to is that, if you're
reading accounts in the newspaper, there could be other sides
of the story.

A There could be. And every one of us individually
decides how we're going to deal with a difficult situation as
we pursue objectives. I also know you can make decisions not
to do things. So we'll see how this washes out.

But the fact of the matter is, and with the revelations
which continue to come daily, it would seem that questions
should've been raised, even though the best intentions were
involved, about continuing to pursue a certain initiative.
And so that's my view.

Q If some of these officials felt that the President
had developed an inaccurate view of the situation on the
ground in Ukraine, isn't it in the interest of the United
States to try to take some steps to correct the situation?

A It depends on what the steps are. And until I see
the full story on what Ambassador Volker and Ambassador Sondland were doing. I'll refrain from comment on that.

Q How often did you speak with the Secretary in your duties?

A Almost daily.

Q Secretary Pompeo?

A That's correct. But it would be short meetings in the morning --

Q Okay.

A -- you know, 5 or 10 minutes. Go over, see if there's anything breaking or pressing that had to be dealt with. And then, you know, depending on issues, I might be in meetings with him --

Q Okay.

A -- that went on longer.

Q So you had enough access to him --

A Yes. Yes. And I certainly can't complain.

Q The letter that the Secretary sent to Congress --

A Right.

Q -- Deputy Assistant Secretary Kent, you know, evinced a view, I think, to you, the letter --

A Yes, but I'm making clear, this is my recollection. And so the specifics of what Deputy Assistant Secretary Kent -- the comments he made, they're in his memorandum. You know, for me to try to paraphrase them would be misleading.
Q You know, the language the Secretary used, you
know, also -- you know, he says, "I will not tolerate such
tactics," talking about allegations of bullying of State
Department officials, and, "I'll use any means at my disposal
to present" --

MR. GOLDMAN: Mr. Castor, if you're going to read, could
we provide the witness with a copy?

MR. MCKINLEY: No, I'm happy to listen.

MR. CASTOR: We can make it an exhibit. That's cool.

MR. MCKINLEY: No, but I'm happy to listen.

MR. CASTOR: We'll make this -- is this the first
exhibit?

MR. GOLDMAN: It is, yes.

MR. CASTOR: Oh, wow.

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

MR. GOLDMAN: Where are you reading from?

MR. CASTOR: Does anybody else need a copy of the
letter, or are we good?

BY MR. CASTOR:

Q And take as much time --

A No, I'm fine.

Q -- or as little time --

A I'm fine.

Q -- to read it.
A No. Please.

Q The Secretary writes, you know, "I am concerned with aspects of your request," the speed and the fact that you're reaching out to --

MR. GOLDMAN: Where are you reading from?

MR. CASTOR: I'm reading from the second paragraph here. "I am concerned with aspects of your request, described more fully below, that can be understood only as an attempt to intimidate, bully, and treat improperly the distinguished professionals of the Department of State, including several career Foreign Service Officers, whom the Committee is now targeting."

BY MS. CASTOR:

Q And so I think a fair reading of that is that the Secretary is trying to write to Congress and say, please, I'm concerned with how you, Congress, are approaching this investigation. Is that a fair reading of it?

A That's a fair reading of it. But I can tell you that the two persons I knew were coming up to give depositions did not feel threatened or intimidated by Congress.

Q Okay. And did anyone try to prevent you from appearing?

A No.

Q Okay. And does anybody that -- are you aware of
officials that they believed they were being barred from appearing?

A  Not at this time, no.

Q  Okay. So you're not aware of any officials that haven't been able to -- officials that wanted to testify -- I mean, you know, there might have to be a subpoena and --

A  Yeah, well, a subpoena is --

Q  Well, a friendly subpoena is very different from a subpoena --

A  Yeah. I'm afraid, for those of us who aren't lawyers, a subpoena is like "Nightmare on Elm Street," okay?

Q  Okay.

A  It's, you know, "What have I done wrong? Why am I being subpoenaed?" So I don't make the distinction between friendly or unfriendly subpoenas.

Q  Okay.

Did Kent evince to you that he wanted to come testify and somebody was preventing him from doing that?

A  To the best of my recollection, he mentioned it, but we didn't get into a discussion.

Q  Okay.

A  He said that he would not -- that, you know, the subpoena was going to be the deciding factor.

Q  Okay.

A  I'm afraid I simply don't remember --
Q Okay.

A -- that. Again, I apologize, because I should have a better recollection for the purposes of answering your question properly, but a lot of things were happening at the time, and I was just rushing in one direction.

But what alarmed me about what Kent said to me and then what was in the memo were the allegations of intimidation, were the question marks over this letter. I wasn't going to sit there and ask him --

Q Of course not.

A -- what part of the letter don't you agree with?

Q Right. No, I understand. And I'm not --

A And -- and -- and I think the third part of --

yeah, that he didn't feel intimidated by the congressional outreach to him. And then -- and I repeat: I was quite impacted by, you know, the legal fees plight of him.

Q Did he identify other State Department officials that had wanted to cooperate and were perhaps urged not to?

A No, we didn't really get into that. No.

Q Okay.

A No.

Q So was he advocating for others, I guess is my question.

A No, he wasn't. No --

Q It was about his own situation?
This is a personal conversation with him, absolutely.

Okay. And so his experience with the official from "L" caused him to --

Write the memo.

-- write this memo and reach out to you.

That's correct.

Was that the first --

Write the memo and send it to me.

Okay.

Yeah.

And was that the first time you had interacted with him?

Yes.

So you had never met him before?

No. No. I don't remember whether I shook his hand in passing during the week and, "Let's try to find a way to get together." I'm sorry, but I don't remember that. But this was the substantive conversation I had with him.

Okay.

And other than Kent, did any other officials at the Department involved in this communicate articulable concerns to you?

No.

Okay.
And I'm just -- sorry, I was just lost in space, trying to remember, you know, my conversations with Kent. But, I mean, because, you know, like I say, that was the week I met him. I'd had a phone call with him the weekend before. But the conversation that's really relevant to what we're talking about was that Thursday.

Q  Okay.

A  But if I had another conversation with him, it really wasn't about what was in the memo. It would've been an earlier one, you know, a "how are you coping, what are you doing" kind of conversation. That's it.

Q  You had a conversation with Yovanovitch during this time period too, or was that earlier?

A  That was on the weekend. And I may have talked to her one more time. I think I may have talked to her once or twice, but one of them was definitely to call her to tell her I was stepping down. And it wasn't a long conversation. It was just to let her know.

Q  Okay. And did she express any concerns to you about the way the Department was handling her situation?

A  No details, no.

Q  Okay.

And you haven't had any conversations with Volker or Sondland --

A  None.
Q -- since this?
A No.
Q And so you don't have any firsthand information --
A No.
Q -- about the facts of the emails and the text messages and so forth?
A No.

And, you know, I know you're lawyers and I'm not, so I'll try to couch what I said earlier properly. The Volker-Sondland emails, reading them, suggest that they were engaged in discussions with the Ukrainian Government on something related to domestic politics.

I don't know what else there is. I don't know whether there's Sondland emails. I don't know if there's documents. I don't know what other conversations took place. And, like everybody else, waiting to see what comes out in the public domain to try and connect the dots.
Q Okay.
A So I gave you my personal view of the reading of those emails, but they did suggest there was an engagement with the Ukrainian Government for something related to domestic purposes.
Q And you said you're skeptical, but if you did have the opportunity to hear everyone's full account --
A Well, I have my own personal views, but they don't
matter. What matters is what the facts are.
Q  Right. But we're in the process of finding the
facts and we're --
A  Yeah.
Q  -- talking to these witnesses.
A  But -- so any reading of those emails would suggest
something was going on. Now, what was it? I don't know.
Q  Did you follow at all the discussion about the aid
being held up?
A  I followed it, but --
Q  The foreign assistance that was --
A  And, you know, sometime in the summer, I may have
been aware, you know, a passing remark about, oh, assistance
for the new Government of Ukraine. I think people were
excited there was a new President there.
But, you know, it was in passing. I wasn't working it.
It wasn't -- you know, there weren't conversations that I had
on it. And so where the assistance question began to
crystallize was when all the revelations began --
Q  Okay.
A  -- after the 18th of September.
Q  So between the July 18th and September 11th, there
was a hold on the assistance.
A  Yeah.
Q  And there were --
But I didn't know.

And if I can explain something about the way the work happened on -- or happens on the seventh floor, there are a tremendous number of issues that are worked on every single day in all parts of the world. And individuals, whether they're assistant secretaries or special envoys or under secretaries, are tasked with working different issues. And if you're going to be effective, you need to focus on the issues where you're going to have an impact.

Second, the Secretary is extremely effective at streamlining his interactions. He deals with the people he needs to get X done in different areas. So, because I wasn't working on Ukraine, there was no reason for me to be part even of a general conversation about what do we do now on Ukraine.

So, like I say, I began to learn a lot more once the whistleblower account came out.

Right.

Sometimes there's issues with aid and it gets held up for a week, a month, longer than that. Isn't that true?

That is correct.

And that the period of time, the middle of July to the beginning of September, is a number of weeks, but ultimately the aid was released, and that is representative of what happens sometimes. Isn't that fair to say?
A I'd say that release of assistance is -- has a very irregular pattern around the world.

Q Okay. And people have different -- you know, there's different power centers. The --

A That's correct.

Q -- Hill weighs in.

A That's correct.

Q OMB weighs in. DOD. And there's always a prospect of a hiccup with the release of aid. Isn't that fair to say?

A There is. But I think I've been very -- I haven't been careful. It's just a fact. I never even focused on the assistance. So that isn't even something that comes into what I have tried to present as my concerns.

My concerns aren't put in the context of our policy towards Ukraine -- whether we should give aid, who we should work with, and so on. It's the way the system was used in the context of Ukraine.

Q And the U.S.'s policy towards Ukraine in the administration is relatively unanimous in that we ought to be giving foreign assistance and we ought to be providing, you know, lethal defensive weaponry.

And so, from all the back-and-forth over the Volker and Sondland issues, at the end of the day, the State Department, the National Security Council, the White House was unanimous in that we wanted to support Ukraine. Is that your
understanding?

A  I don't know about the White House. I know in the State Department there seemed to be the support for the Ukraine, absolutely.

Q  Okay.

MR. CASTOR: I yield back.

BY MR. GOLDMAN: I just have two small things to touch upon. You indicated -- right.

I'll ask a couple questions. And then Members are voting, and I think that some may have wanted to ask some questions. So perhaps we'll take a short break and then be able to come back. I don't think it will be long, regardless.

MR. MCKINLEY: Okay.

BY MR. GOLDMAN:

Q  But you indicated, as you've said already, that there were, sort of, two primary reasons why you resigned when you did. One was the handling of Ambassador Yovanovitch and the recall and the lack of support for her and for Mr. Kent. And then the other one was the -- I think you called the politicization of some of the State Department employees, which -- am I correct that you are referring primarily to the text messages that you've seen between Ambassador Sondland and Volker, when you say that?

A  Yeah. But I'd like to just correct the record. I
don't say politicization, because I don't know the entire story behind what they were doing. What is clear is that both Volker and Sondland were engaging the Ukrainian Government in conjunction with Rudy Giuliani on domestic political issues.

I want to be careful on this for a reason. I saw nothing inside the building. And I also believe that the politicization which was alleged in the Tillerson period, which led to the investigation into the IO Bureau, it stopped. And so that's my experience over the past year.

Q   Understood. But it was one of two motivating factors for your resignation.

A   Absolutely. Absolutely. Absolutely. The use of persons with State Department titles, which conveys to the outside world that the State Department is being drawn into -- even if it's just the two individuals working on a tangent separately. But it certainly conveys the impression of politics being injected -- domestic politics being injected into the work of foreign affairs.

Q   You've testified a lot today about your efforts to encourage the Department to issue a statement in support of the Foreign Service officers -- in particular, Ambassador Yovanovitch.

Did you ever raise any concerns about the text messages that you're referring to --
Q -- up to the seventh floor?

A I did not.

Q And why not?

A To be frank, I didn't want to get into a discussion about domestic American politics. I've said earlier that throughout my tenure as senior advisor, I was -- and forget about senior advisor. Throughout my career, I've never engaged my political leadership on political developments inside our country. It's not the right thing to do.

And so, in this case, I felt if I started going down that line of inquiry, I'd be, first, talking about something I knew nothing about, but, second, since I believed it already had a political component, it was something that was not incumbent on me to deal with.

Q Did you have any discussions with anyone in the State Department about what you read in those text messages?

A Not to my recollection. And if I did, "Oh, did you see the Volker-Sondland emails?" But I don't think I even did that.

The period that we're reviewing is so concentrated, and I've tried to convey why it wasn't difficult for me to reach certain conclusions quickly. But the other sensitivity I had as I was working through my decisions, I really only started to -- outside of the constellation of names I've
given you, the building didn't know I was leaving until the
Thursday -- I started telling people on Thursday,
October 10th. That's when I started going around to front
offices to say goodbye to assistant secretaries, to under
secretaries, and so on, because I thought I wouldn't have
time on Friday as I finished processing paperwork.

But I was so sensitive to the implications of me going
and talking to people about my concerns -- other than the
statement. That was an easy one to, you know -- but if you
start raising other questions, you know, it's the wrong thing
to do, especially if what you're trying to do is buttress
both leadership support for the Department but also the
confidence of State Department officials in that leadership.

So, no, I did not. I was very careful on this stuff.

Q You testified earlier today that Ambassador Volker
had left the Department 10 years ago, and I think you said
something about him being --

A Well, he became director -- I think it's no secret, he became one of the directors of the McCain Institute, et
cetera.

Q Right.

A So, you know, my assumption is there's -- he's --
every one of us is entitled to go out and create a new
identity when we leave the State Department. I'm just
stating that, to place him and consider him a career
official, no, he wasn't.

Q     And you also said that -- I believe you said he was
political.
A     "Political" meaning he was a political appointee.
I know he came in under -- was it -- he came in under -- was
he named under the Obama administration for the position of
envoy, special envoy?

Q     I think it was President Trump.
A     You think it was -- okay. I'm just saying he's a
political appointee. That's all I'm saying.

Q     Okay.
A     I don't mean anything else by that.

Q     All right.

MR. GOLDMAN: One second.

All right, if we could just take a 5-minute break, and
we'll just check on the members.

MR. MCKINLEY: Sure.

[Recess.]

MR. GOLDMAN: We're back on the record.

Mr. Castor?

BY MR. CASTOR:

Q     Just one question that was related to me by a
member that he wanted to ask, but, due to floor votes, he
hasn't been able to get back.

I just wanted to acknowledge and just have you agree
with the statement that the folks that you were emailing, you know, the Under Secretary of Management, all those key people, they're all really quite busy, and a lot of them were involved with the U.N. General Assembly activities in New York that week.

And so he just wanted me to ask you, you know, is it fair to say that they may have just not been able to get to your emails?

A No, it's not.

Q Okay.

A I do acknowledge the point that there are many other issues on the agenda. What started as a simple suggestion which would've taken 15 minutes to clear off the table turned into something more. That said, because I didn't have substantive conversations, I'm not in a position to speculate about --

Q Okay.

A -- what their reasons were for not responding to me on a substantive basis, and I have to acknowledge that.

Q Okay. Thank you.

MR. GOLDMAN: All right. Thank you, Mr. Castor.

Ambassador McKinley, we really appreciate you coming in here again today on such short notice and for your decades of service. It is clear to us today why you are so revered within the Department, and we greatly appreciate it.
And we are adjourned.

[Whereupon, at 2:35 p.m., the interview was concluded.]