Purpose: To subpoena certain Department of State documents and records.


S. Res. ____________

(title) ______________________________________________________

__________________________________________________________

Referred to the Committee on ____________________________ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by ____________

Viz:

1  At the appropriate place in the resolving clause, in-
2  sert the following:
3
4  SEC. ______. Notwithstanding any other provision of
5  this resolution, pursuant to rules V and VI of the Rules
6  of Procedure and Practice in the Senate When Sitting on
7  Impeachment Trials—
8
9  (1) the Chief Justice of the United States,
10  through the Secretary of the Senate, shall issue a
11  subpoena to the Secretary of State commanding him
12  to produce, for the time period from January 1,
13  2019, to the present, all documents, communica-
14  tions, and other records within the possession, cus-
tody, or control of the Department of State, referring or relating to—

(A) all meetings and calls between President Trump and the President of Ukraine, including documents, communications, and other records related to the scheduling of, preparation for, and follow-up from the President’s April 21 and July 25, 2019 telephone calls, as well as the President’s September 25, 2019 meeting with the President of Ukraine in New York;

(B) the actual or potential suspension, withholding, delaying, freezing, or releasing of United States foreign assistance, military assistance, or security assistance of any kind to Ukraine, including but not limited to the Ukraine Security Assistance Initiative (USAI) and Foreign Military Financing (FMF), including but not limited to all communications with the White House, Department of Defense, and the Office of Management and Budget, as well as the Ukrainian government’s knowledge prior to August 28, 2019, of any actual or potential suspension, withholding, delaying, freezing, or releasing of United States foreign assistance to Ukraine, including all meetings, calls, or other
engagements with Ukrainian officials regarding
potential or actual suspensions, holds, or delays
in United States assistance to Ukraine;

(C) all documents, communications, notes,
and other records created or received by, Secre-
ry Michael R. Pompeo, Counselor T. Ulrich
Brechbuhl, former Special Representative for
Ukraine Negotiations Ambassador Kurt Volker,
Deputy Assistant Secretary George Kent, then-
United States Embassy in Ukraine Charge
d’Affaires William B. Taylor, and Ambassador
to the European Union Gordon Sondland, and
other State Department officials, relating to ef-
forts to—

   (i) solicit, request, demand, induce,
persuade, or coerce Ukraine to conduct or
announce investigations;

   (ii) offer, schedule, cancel, or withhold
a White House meeting for Ukraine’s
president; or

   (iii) hold and then release military
and other security assistance to Ukraine;

   (D) any meetings or proposed meetings at
or involving the White House that relate to
Ukraine, including but not limited to—
(i) President Zelensky’s inauguration on May 20, 2019, in Kiev, Ukraine, including but not limited to President Trump’s decision not to attend, to ask Vice President Pence to lead the delegation, directing Vice President Pence not to attend, and the subsequent decision about the composition of the delegation of the United States;

(ii) a meeting at the White House on or around May 23, 2019, involving, among others, President Trump, then-Special Representative for Ukraine Negotiations Ambassador Kurt Volker, then-Energy Secretary Rick Perry, and United States Ambassador to the European Union Gordon Sondland, as well as any private meetings or conversations with those individuals before or after the larger meeting;

(iii) meetings at the White House on or about July 10, 2019, involving Ukrainian officials Andriy Yermak and Oleksander Danylyuk and United States Government officials, including, but not limited to, then-National Security Advisor John Bolton, Secretary Perry, Ambassador
Volker, and Ambassador Sondland, to include at least a meeting in Ambassador Bolton’s office and a subsequent meeting in the Ward Room;

(iv) a meeting at the White House on or around August 30, 2019, involving President Trump, Secretary of State Mike Pompeo, and Secretary of Defense Mark Esper;

(v) a planned meeting, later cancelled, in Warsaw, Poland, on or around September 1, 2019 between President Trump and President Zelensky, and subsequently attended by Vice President Pence; and

(vi) a meeting at the White House on or around September 11, 2019, involving President Trump, Vice President Pence, and Mr. Mulvaney concerning the lifting of the hold on security assistance for Ukraine;

(E) all communications, including but not limited to WhatsApp or text messages on private devices, between current or former State Department officials or employees, including but not limited to Secretary Michael R.
Pompeo, Ambassador Volker, Ambassador Sondland, Ambassador Taylor, and Deputy Assistant Secretary Kent, and the following: President Zelensky, Andriy Yermak, or individuals or entities associated with or acting in any capacity as a representative, agent, or proxy for President Zelensky before and after his election;

(F) all records specifically identified by witnesses in the House of Representatives’ impeachment inquiry that memorialize key events or concerns, and any records reflecting an official response thereto, including but not limited to—

(i) an August 29, 2019 cable sent by Ambassador Taylor to Secretary Pompeo;

(ii) an August 16, 2019 memorandum to file written by Deputy Assistant Secretary Kent; and

(iii) a September 15, 2019 memorandum to file written by Deputy Assistant Secretary Kent;

(G) all meetings or calls, including but not limited to all requests for or records of meetings or telephone calls, scheduling items, calendar entries, State Department visitor records,
and email or text messages using personal or work-related devices, between or among—

(i) current or former State Department officials or employees, including but not limited to Secretary Michael R. Pompeo, Ambassador Volker, and Ambassador Sondland; and

(ii) Rudolph W. Giuliani, Victoria Toensing, or Joseph diGenova; and

(H) the curtailment or recall of former United States Ambassador to Ukraine Marie “Masha” Yovanovitch from the United States Embassy in Kiev, including credible threat reports against her and any protective security measures taken in response; and

(2) the Sergeant at Arms is authorized to utilize the services of the Deputy Sergeant at Arms or any other employee of the Senate in serving the subpoena authorized to be issued by this section.