

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

DEPOSITION OF: LIEUTENANT COLONEL ALEXANDER S. VINDMAN

Tuesday, October 29, 2019

Washington, D.C.

The deposition in the above matter was held in Room HVC-304, Capitol Visitor Center, commencing at 9:33 a.m.

Present: Representatives Schiff, Himes, Sewell, Carson, Speier, Quigley, Swalwell, Castro, Heck, Welch, Maloney, Demings, Krishnamoorthi, Nunes, Conaway, Wenstrup, Stewart, Stefanik, and Ratcliffe.

Also Present: Representatives Jordan, Armstrong, Cloud, Connolly, Cooper, DeSaulnier, Higgins, Kelly, Khanna, Lawrence, Lynch, Maloney, Massie, Meadows, Miller, Norman, Norton, Plaskett, Raskin, Rouda, Roy, Sarbanes, Tlaib, Wasserman Schultz, McCaul, Allred, Bera, Burchett, Cicilline, Connolly, Costa, Curtis, Deutch, Espaillat, Fitzpatrick, Guest, Houlahan, Keating, Levin, Lieu, Malinowski, Mast, Meeks, Omar, Perry, Reschenthaler, Sherman, Spanberger, Titus, Yoho, and Zeldin.

For the COMMITTEE ON OVERSIGHT AND REFORM:

[REDACTED]

For the COMMITTEE ON FOREIGN AFFAIRS:

[REDACTED]

For LIEUTENANT COLONEL ALEXANDER S. VINDMAN:

MATTHEW STANKIEWICZ, SENIOR ASSOCIATE

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THE CHAIRMAN: Good morning, Colonel Vindman, and welcome to the House Permanent Select Committee on Intelligence, which, along with the Foreign Affairs and Oversight Committees, is conducting this investigation as part of the official impeachment inquiry of the House of Representatives. Today's deposition is being conducted as part of the impeachment inquiry announced on September 24, 2019.

In light of attempts by the administration to direct witnesses not to cooperate with the inquiry, including efforts to limit witness testimony, the committee had no choice but to compel your appearance today. We thank you for complying with the duly authorized congressional subpoena.

Colonel Vindman has served our country as a distinguished officer in the United States Army for more than 20 years. He has served several tours abroad, including a deployment to Iraq, where he was wounded and awarded a Purple Heart. For the last decade, he has served as a Foreign Area Officer focused on Eurasia, including work for the Chairman of the Joint Chiefs of Staff and, most recently, at the National Security Council.

Colonel Vindman, we thank you for your many dedicated years of service to our Nation. We are grateful for your courageous service to the country.

Finally, 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, including you or any of your

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colleagues.

It is disturbing that the White House has sought to prohibit employees from cooperating with the inquiry and have tried to limit what they can say. Thankfully, consummate professionals like Colonel Vindman have demonstrated remarkable courage in coming forward to testify, obey their oath to defend the Constitution, and to tell the truth.

I do want to say also, Colonel, how deeply dismayed I was with the vicious personal attack on you on FOX last night, and I hope it will be condemned by all Americans. We are very grateful for your service. You represent what's best about this country.

Before we begin the interview, I want to invite Ranking Member Nunes or, in his absence, a minority member of the Foreign Affairs or Oversight Committees to make any opening remarks.

MR. JORDAN: Thank you, Chairman.

Colonel, we want to thank you for your service to our country and for being here today.

Just two things I wanted to get on the record that trouble the minority, I think, more importantly, trouble the American people. The first is the statement the chairman made Sunday morning I believe on CBS. Each day we leave this -- I think we're now on our eighth or ninth deposition -- each day we leave, the chairman admonishes every single one of us in this room not to go out and share substantive materials or information from the substance of the deposition.

And yet, on Sunday morning, the chairman on, again, I believe CBS,

said: I already know from the testimony of others that this is someone who has, you know, concern that the people in the State Department, Ambassador Sondland and others, Mulvaney, were cooking up a drug deal. And by that, he meant a corrupt deal involving withholding White House meeting or perhaps withholding aid as well.

That is directly from testimony of a witness in this committee. And if we're going to get the admonishment from the chairman, it seems to me the chairman should follow his own instructions to the rest of us.

Second, as I mentioned yesterday, the minority is troubled and, more importantly, I think the American people are troubled by the fact that there are 435 Members of Congress and yet only one, only one Member knows the person who started this whole thing and, more importantly or as importantly, the handful of people who gave that individual the information that formed the basis of this entire charade that we've been going through now for 5 weeks. And so I think those are important facts, important concerns that we have and, as I said, most importantly, I think the American people have.

With that, I'd be happy, if the chairman's okay, letting -- yielding to the ranking member of the Intelligence Committee.

THE CHAIRMAN: I'm happy to yield to Mr. Nunes.

MR. NUNES: Well, I'll just say we look forward to whatever the new construct of the impeachment committee is going to look like. And, of course, welcome to Lieutenant Colonel Vindman today, and hopefully

your testimony will be honest and forthright.

And, with that, I yield back.

THE CHAIRMAN: I thank the gentleman.

I'm not going to respond to the false statements from my colleague, Mr. Jordan. I don't want to take up the witness' time that way. So I'll recognize Mr. Goldman.

MR. JORDAN: Can you tell me what's false, Mr. Chairman?

THE CHAIRMAN: Mr. Goldman, you are recognized.

MR. GOLDMAN: Thank you, Mr. Chairman.

This is a deposition of Lieutenant Colonel Alexander Vindman conducted by the House Permanent Select Committee on Intelligence pursuant to the impeachment inquiry announced by the Speaker of the House on September 24, 2019.

Colonel Vindman, could you please state your full name and spell your last name for the record.

LT. COL. VINDMAN: Alexander Semyon Vindman, last name spelled V-i-n-d-m-a-n.

MR. GOLDMAN: You may also have to spell your middle name.

LT. COL. VINDMAN: It goes by Simon, but the proper I guess is S-e-m-y-o-n. I don't use it very often. So Alexander Semyon Vindman, S-e-m-y-o-n, last name V-i-n-d-m-a-n.

MR. GOLDMAN: All right, thank you. We understand it's a bit of a nerve-wracking environment, and we thank you for your testimony here today.

Along with other proceedings in furtherance of the inquiry to

date, this deposition is part of a joint investigation led by the Intelligence Committee in coordination with the Committees on Foreign Affairs and Oversight and Reform.

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

My name is Daniel Goldman. I'm the director of investigations with the HPSCI majority staff. And I want to thank you again for coming in today.

Let me do some brief introductions. To my right is Daniel Noble. He's Senior Investigative Counsel for the Intelligence Committee. Mr. Noble and I will be conducting most of the interview for the majority.

And now I'll let me counterparts from the minority introduce themselves.

MR. CASTOR: Good morning. I'm Steve Castor with the Republican staff of the Oversight Committee.

[REDACTED]

MR. GOLDMAN: This deposition will be conducted entirely at the unclassified level. However, the deposition is being conducted in HPSCI secure spaces and in the presence of staff with appropriate

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security clearances.

It is the committee's expectation that neither questions asked of you nor answers provided by you will require discussion of any information that is currently or at any point could be properly classified under Executive Order 13526. You are reminded that 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, however, can only be answered with classified information, please inform us of that fact before you answer the question and we can adjust accordingly.

Today's deposition 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 deposition will be limited to the three committees in attendance.

Under the House deposition rules, no Member of Congress nor any staff member can discuss the substance of the testimony that you provide today. You and your attorney will have an opportunity to review the transcript.

Before we begin, I'd like to go over the ground rules for the deposition. We will be following the House regulations for depositions, which we have previously provided to your counsel. The deposition will proceed as follows: The majority will be given 1 hour to ask questions. Then the minority will be given 1 hour. Thereafter,

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we will alternate back and forth between majority and minority in 45-minute rounds until questioning is complete. We will take periodic breaks, but if you need a break at any time, please let us know. Under the House deposition rules, counsel for other persons or government agencies may not attend.

You are permitted to have an attorney present during this deposition, and I see that you have brought two.

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

MR. VOLKOV: Michael Volkov, Volkov Law Group.

MR. STANKIEWICZ: Matthew Stankiewicz, Volkov Law Group.

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

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

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

You may only refuse to answer a question to preserve a privilege recognized by the committee. If you refuse to answer a question on

the basis of privilege, staff may either proceed with the deposition or seek a ruling from the chairman on the objection. If the chair overrules any such objection, you are required to answer the question.

Finally, you are reminded that it is unlawful to deliberately provide false information to Members of Congress or 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 as false statements.

Now, as this deposition is under oath, Colonel Vindman, would you please stand and raise your right hand to be sworn. Do you swear that the testimony provided here today will be the whole truth and nothing but the truth?

LT. COL. VINDMAN: I do.

MR. GOLDMAN: Let the record reflect that the witness has been sworn and you may be seated.

Colonel Vindman, if you have an opening statement or your attorney has any matters to address with the committee, now is the time.

LT. COL. VINDMAN: Mr. Chairman, Ranking Member, thank you for the opportunity to address the committee concerning the activities related to Ukraine and my role in the events under investigation.

I have dedicated my entire professional life to the United States of America. For more than two decades, it has been my honor to serve as an officer in the United States Army. As an infantry officer, I served multiple tours overseas, including South Korea and Germany, and deployed to Iraq for combat operations. In Iraq, I was wounded in an

IED attack and awarded a Purple Heart.

Since 2008, I have been a Foreign Area Officer specializing in Eurasia. In this role, I have served in the United States Embassies in Kyiv, Ukraine, and Moscow, Russia. In Washington, D.C., I was a politico-military affairs officer for Russia for the Chairman of the Joint Chiefs, where I authored the principal strategy for managing competition with Russia. In July 2018, I was asked to serve at the National Security Council.

The privilege of serving my country is not only rooted in my military service but also in my personal history. I sit here, as a Lieutenant Colonel in the United States Army, an immigrant. My family fled the Soviet Union when I was 3 and a half years old. Upon arriving in New York City in 1979, my father worked multiple jobs to support us, all the while learning English at night. He stressed to us the importance of fully integrating into our adopted country. For many years, life was difficult. In spite of our challenging beginnings, my family worked to build its own American Dream. I have a deep appreciation for American values and ideals and the power of freedom. I am a patriot. It is my sacred duty and honor to advance and defend our country irrespective of party or politics.

For over 20 years as an Active Duty United States military officer and diplomat, I have served this country in a nonpartisan manner, and I have done so with the utmost respect and professionalism for both the Republican and Democratic administrations.

Before recounting my recollections of various events under

investigation, I want to clarify a few issues. I am appearing today voluntarily, pursuant to a subpoena, and will answer all questions to the best of my recollection.

I want the committee to know I am not the whistleblower who brought this issue to the CIA and the committee's attention. I do not know who the whistleblower is, and I would not feel comfortable to speculate as to the identity of the whistleblower.

Also, I will detail herein I did not convey -- I did -- I'll say again. As I will detail herein, I did convey certain concerns internally to national security officials in accordance with my decades of experience and training, sense of duty, and obligation to operate within the chain of command. As an Active Duty military officer, the command structure is extremely important to me. On many occasions, I've been told I should express my views and share my concerns with my chain of command and proper authorities. I believe that any good military officer should and would do the same, thus providing his or her best advice to leadership.

Furthermore, in performing my coordination role as Director on the National Security Council, I provided readouts of relevant meetings and communications to a very small group of properly cleared national security counterparts with a relevant need-to-know.

When I joined the White House National Security Council, I reported to Dr. Fiona Hill, who, in turn, reported to Ambassador John Bolton, National Security Advisor. My role at the National Security Council includes developing, coordinating, and executing plans and

policies to manage the full range of diplomatic, informational, military, and economic national security issues for the countries in my portfolio, which includes Ukraine.

In my position, I coordinate with a superb cohort of interagency partners. I regularly prepare internal memoranda, talking points, and other materials for the National Security Advisor and senior staff.

Most of my interactions relate to national security issues and are, therefore, especially sensitive. I would urge the committees to carefully balance the need for information against impact that disclosure would have on our foreign policy and national security. I have never had direct contact or communications with the President.

Since 2008, Russia has manifested -- so I'm going to go into the geopolitics behind this. I apologize. Since 2008, Russia has manifested an overtly aggressive foreign policy, leveraging military power and employing hybrid warfare to achieve its objectives of regional hegemony and global influence. Absent a deterrent to dissuade Russia from such aggression, there is an increase of further confrontations with the West. This situation -- in this situation, a strong and independent Ukraine is critical to U.S. national security interests because Ukraine is a front-line state and a bulwark against Russian aggression.

In spite of being under assault from Russia for more than 5 years, Ukraine has taken major steps toward integrating with the West. The U.S. Government policy community's view is that the election of President Volodymyr Zelensky and the promise of reform to eliminate

corruption will lock in Ukraine's Western-leaning trajectory and allow Ukraine to realize its dream of a vibrant democracy and economic prosperity.

Given this perspective and my commitment to advancing our government's strategic interests, I will now recount several events that occurred.

When I joined the National Security Council in July of 2018, I began implementing the administration's Ukraine policy. In the spring of 2019, I became aware of outside influencers promoting a false narrative of Ukraine inconsistent with the consensus views of the entire interagency. This narrative was harmful to U.S. Government policy. While my interagency colleagues and I were becoming increasingly optimistic about Ukraine's prospects, this alternative narrative undermined U.S. Government efforts to expand cooperation with Ukraine.

On April 21st, 2019, Volodymyr Zelensky was elected President of Ukraine in a landslide victory. President Zelensky was seen as a unifying figure within the country. He was the first candidate to win a majority in every region of the country, breaking the claims that Ukraine would be subject to perpetual divide between the Ukrainian- and Russian-speaking populations. President Zelensky ran on a platform of unity, reform, and anticorruption, which resonated with the entire country.

In support of U.S. policy objectives to support Ukrainian sovereignty, President Trump called President Zelensky on April 21st,

2019. I was one of several staff officers who listened to the call. The call was positive. The President expressed his desire to work with President Zelensky and extended an invitation to visit the White House.

On May 21st, 2019, I was directed by Ambassador Bolton and Dr. Hill to join the delegation attending President Zelensky's inauguration. When the delegation returned, they provided a debriefing to the President and explained their positive assessment of President Zelensky and his team. I did not participate in this debriefing.

On July 10th, 2019, Oleksandr Danylyuk, the Secretary of the National Security and Defense Council for Ukraine, visited Washington, D.C., for a meeting with National Security Advisor Bolton. Ambassadors Volker and Sondland and Energy Secretary Rick Perry attended.

The meeting proceeded well until the Ukrainians broached the subject of a meeting between the two Presidents. The Ukrainians saw this meeting as critically important in order to solidify the support for their most important international partner. Ambassador Sondland started -- when Ambassador Sondland started to speak about Ukraine delivering specific investigations in order to secure the meeting with the President, Ambassador Bolton cut the meeting short.

Following the meeting -- this meeting -- there was a scheduled debriefing during which Ambassador Sondland emphasized the importance that Ukraine deliver the investigation into the 2016 elections, the Bidens, and Burisma. I stated to Ambassador Sondland that the

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statements -- that his statements were inappropriate, that the request to investigate the Bidens and his son had nothing to do with national security, and that such investigations were not something that the NSC was going to get involved in or push. Dr. Hill entered the room shortly thereafter and asserted to Ambassador Sondland that his statements were inappropriate.

Following the debriefing, I reported my concerns to NSC's legal counsel, lead legal counsel. Dr. Hill also reported the incident to lead legal counsel.

On July 21st, 2019, President Zelensky's party won Parliamentary elections in a landslide victory. The NSC proposed that President Trump call President Zelensky to congratulate him.

On July 25th, that call occurred. I listened to the call in the Situation Room with colleagues from the NSC and Office of the Vice President. As the transcript is in the public record, we all are aware of what was said.

I was concerned by the call. I did not think it was proper to demand that a foreign government investigate a U.S. citizen, and I was worried about the implications to the U.S. Government's support of Ukraine. I realized that if Ukraine pursued an investigation into the Bidens and Burisma, it would be interpreted as a bipartisan play, which would undoubtedly -- I'm sorry. I'm going to restate that. Sorry. I realized that if Ukraine pursued an investigation into the Bidens and Burisma, it would likely be interpreted as a partisan play, which would undoubtedly result in Ukraine losing the bipartisan support it

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has thus far maintained. This would all undermine U.S. national security. Following the call, I again reported my concerns to NSC's legal counsel.

In conclusion, the United States and Ukraine are and must remain strategic partners, working together to realize the shared vision of a stable, prosperous, and democratic Ukraine that is integrated into the Euro-Atlantic community. Our partnership is rooted in the idea that free citizens should be able to exercise their democratic rights, choose their own destiny, and live in peace.

It has been a great honor to serve the American people and a privilege to work in the White House and on the National Security Council. I hope to continue to serve and advance America's national security interests.

Thank you again for your consideration, and I would now -- I am now happy to answer your questions.

[The information follows:]

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THE CHAIRMAN: Thank you, Colonel.

I'll turn it over to Mr. Goldman for 1 hour of majority questions.

MR. GOLDMAN: Thank you, Mr. Chairman.

Thank you again, Colonel Vindman.

BY MR. GOLDMAN:

Q You said in your opening statement, or you indicated at least, that there's a fairly consensus policy within the interagency towards Ukraine.

Could you just explain what that consensus policy is, in your own words?

A Yes. I'm just -- I'm going to be careful to not cross over into any classified.

What I can tell you is, over the course of certainly my tenure there, since July 2018, the interagency, as per normal procedures, assembles under the NSPM-4, the National Security Policy Memorandum 4, process to coordinate U.S. Government policy. We, over the course of this past year, probably assembled easily a dozen times, certainly at my level, which is called a subpolicy coordinating committee -- and that's myself and my counterparts at the Deputy Assistant Secretary level -- to discuss our views on Ukraine.

Certainly, as it became apparent that President Zelensky was preparing to take office and his platform became clear -- he was running on a unity platform. He was running on an anticorruption and reform platform. And if he, in fact, fulfills his platform -- and all indications right now are that he is, and those indications became

relatively clear pretty early -- this is -- you know, this is in the United States' interest.

So that is, throughout the course of my tenure there, we had been monitoring the situation, how the trajectory is taking, the fact that it was actually completely aligned with the U.S. Government policy in terms of strengthening democracies and also, you know, strengthening front-line states as a bulwark against Russian aggression.

Q Now, you said that in the spring -- in your opening statement, you said in the spring of 2019, you became aware of outside influencers promoting a false narrative that was inconsistent with this uniform policy. Can you explain what you mean by the outside influencers promoting a false narrative? Who were the influencers and what was the false narrative?

A So I will tell you that this is as a result of closely monitoring everything to do with the countries in my portfolio, including Ukraine. As a habit, I get constant updates from interagency colleagues, from the Intelligence Community, from the Embassy.

And I would say that this particular -- these particular concerns emerged from a combination of open source -- following the press reporting, there were a couple of articles in The Hill that emerged in the March timeframe that, frankly, painted a significantly divergent view of the country, at least the orientation it was taking or likely to take under Zelensky. He was not yet President, but it was clear that he was on the upswing.

And at that point, you know, that's probably the first time I was

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sensitized to this issue. I was not really aware of, you know, some of these -- some of the theories that were behind it until that point.

Okay. And I guess, you know, the stories pertained to a prosecutor general in Ukraine at the time, Mr. Lutsenko, who was at that point in -- for the purpose of self-preservation for himself and the President at the time, President Poroshenko, was advancing a narrative undermining the Ambassador in Ukraine, Ambassador Yovanovitch.

So, at the time, that was probably -- the key influencers were the Ukrainians that were looking to preserve their position in power, retain -- gain reelection, looking to basically undermine Ambassador Yovanovitch and the Embassy that was critical of recent reports of corruption.

Q And were there any American outside influencers?

A So those probably occurred a little bit later. I'd say in the April timeframe is when I, frankly, became aware of Mr. Giuliani, Mayor Giuliani, also being involved in this particular narrative.

Q And just this narrative as related to Ambassador Yovanovitch, or were there other false narratives that were being promoted as well?

A So this narrative, as the narrative developed, it became clear that it had to do with the 2016 elections and Ukrainian -- supposed Ukrainian involvement in partisan support of candidate Clinton and in opposition to President Trump. That was the key element of that particular narrative that developed.

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Q And are you aware of any factual basis for that narrative, based on your training, experience, and knowledge of Ukraine?

A I am unaware of any factual basis for the accusations against Ambassador Yovanovitch, and I am, frankly, unaware of any authoritative basis for Ukrainian interference in 2016 elections, based on my knowledge.

Q Did these Hill articles also reference potential issues related to the Bidens and a company called Burisma?

A As the narrative began to unfold, there were claims of corruption involving Mr. Biden, Hunter Biden, and eventually the President also, as a means to cover up an investigation into Burisma and Hunter Biden's association with the firm.

Q You said the President. Who do you mean?

A I'm sorry. The Vice President, Biden.

Q Okay. Now, we're going to go through in some detail the narrative over the last year or so, but I want to pick up on a couple of particular incidents that you mentioned in your opening statement.

You discussed in your opening statement a July 10th meeting between Oleksandr Danylyuk and Ambassador Bolton. Can you describe -- well, where was that meeting held?

A That was in Ambassador Bolton's office.

Q And can you tell us who attended that meeting?

A So Ambassador Bolton, Dr. Hill. I guess I'm not -- if I'm not certain about her name, I prefer not to mention it. I guess I don't want to speculate. But then from the -- you know, from the true

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principals, it would have been Ambassadors Sondland, Volker, Secretary Perry, Oleksandr Danylyuk, Andrey Yermak. Please let me know if I need to spell those --

Q No, we got that name.

A Okay. And then I think -- actually, I know that the senior adviser for Oleksandr Danylyuk was also there, Oleksii Semenyi.

MR. VOLKOV: You better spell that.

LT. COL. VINDMAN: So Oleksii, the Ukrainian spelling would be O-l-e-k-s-i-i, S-e-m-e-n-i-y.

BY MR. GOLDMAN:

Q What was the purpose of this meeting?

A This would be -- this was the inaugural meeting between the -- Ambassador Bolton and his counterpart, the equivalent of a National Security Advisor for Ukraine.

The purpose was, first of all, to build rapport, give Ambassador Bolton an opportunity to make his own assessment on the key elements of President Zelensky's team, and Oleksandr Danylyuk being one of the key elements, and a very well-regarded, actually, technocrat that had been serving Ukraine for some years, and allow him to make his own assessment of what these people are like. Is it worth it to pursue this engagement? You know, are these credible individuals? And then, frankly, to chart a course for bilateral cooperation.

Q Did you have an understanding as to why Ambassadors Sondland, Volker, and Secretary Perry attended this meeting?

A So, certainly, they had been involved in Ukraine since the

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Presidential delegation on -- they were the seniors attending the Presidential delegation in May, and they had, from that point on, taken an active role in Ukraine and supporting Ukraine.

I think every one of those individuals recognized the unique opportunity presented by the election of Volodymyr Zelensky, and a willing partner that was going to lock in the reforms, root out corruption, that would allow Ukraine to prosper and further integrate into the Euro-Atlantic community. And all of those individuals were looking to advance, you know, a relationship between Ukraine and the United States.

Q Approximately how long was this meeting?

A It was in the ballpark of about 35 to 40 minutes.

Q And you say in your opening statement that it went well until the Ukrainians broached the subject of a meeting between the two Presidents. What did the Ukrainians bring up in connection to that?

A So I think it's important to note that the Ukrainians had been seeking a meeting, a White House meeting with the President, for some time already at that point. There was -- and it was based on the President during the phone call on April 21st extending an offer to meet with President Zelensky and, you know, a correspondence also offering a meeting. So the Ukrainians were attempting to figure out when they could actually do this meeting.

From the Ukrainian perspective, their -- you have a brand new President, is not from the political establishment. He is trying to, you know, develop his bona fides and continue to gain support so he

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can implement his agenda.

His agenda includes rooting out corruption, and corruption certainly for decades has been endemic in Ukraine. And what he was looking to do was, you know, to face off against entrenched elites, political elites, oligarchs. And in order to do this, he needed -- he needed some support.

In this case, what he was looking to do is, specifically, there was a Parliamentary election to be held in May, May 21st, and he was looking to potentially -- his team was looking to secure a meeting so it would bolster his credibility going into the Presidential -- I'm sorry, Parliamentary election. In reality --

Q May 21st or July 21st?

A July 21st, yeah. There are a lot of 21sts in here for some reason, so -- why that date is important.

But so July 21st. So this is only about 11 days before. And even if they weren't able to actually get a meeting, because that's not likely, given the President's schedule, he's extremely busy, he has -- and his meetings are scheduled way ahead of time, the securing of a date sometime after would have been still useful.

So they were attempting to pin down a date so that he went into the Parliamentary elections strongly. And it turns out he didn't really need it because he won by a landslide anyway, based on the fact that he was credible with his population.

Q And so, after the Ukrainian officials raised the idea of this meeting, what happened next? What was the response?

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A So we had had a very substantive conversation up until that point, kind of laying out, you know, the necessity of working with Ukraine. There was a discussion of -- you know, of the Ukrainian proposals on how we could cooperate more substantively.

When the Ukrainians raised this issue of trying to figure out what the date would be for the Presidential meeting, Ambassador Sondland proceeded to discuss the deliverable required in order to get the meeting, and he alluded to investigations.

Very quickly thereafter, Ambassador Bolton terminated the meeting, pleasant and professional, but he said: It was a pleasure meeting with you, looking forward to working with you.

And we -- you know, he still had the -- we still did a photo to, again, bolster the Ukrainians. There was quite a nice photo that was taken outside the White House that ended up getting published. And that's how the meeting ended.

Q Was this the first time that you had heard about these investigations in connection with a White House meeting?

A This is the first time that it didn't come from, you know -- this wasn't a -- this had developed mainly -- my situational awareness into this developed initially through open source and then, you know, professional communications to determine what was the substance behind some of this. But this was the first time that it emerged kind of with a government official discussing it.

Q I'm going to circle back to this, but what happened after Ambassador Bolton abruptly ended the meeting?

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A So we did the photo. Again, the intention was to strengthen his counterpart's position. And then Dr. Hill joined Ambassador Bolton for a meeting in his office. And we had preplanned a post-meeting discussion just to see if there was any do-outs that we would need to follow through and --

MR. VOLKOV: What's a do-out?

LT. COL. VINDMAN: A do-out would be -- so, if there was a task that needed to then be coordinated through the interagency, the idea would be that we would discuss it and figure out how to move forward as a next step.

BY MR. GOLDMAN:

Q Who attended that briefing?

A So Ambassador Sondland, Ambassador Volker attended that meeting. There were some staffers. I think Ambassador Sondland's staff was there. Yeah, Perry. So, actually, frankly, Perry, I think he had some testimony, and if he was there, he was there for just a brief minute, but his chief of staff remained. And then --

Q Who was his chief of staff?

A It will come back to me. Mr. Brian McCormack.

Q Where was this debriefing?

A It's a space called the Ward Room in the White House, West Wing.

Q Were the Ukrainian officials there?

A They were -- they were there for the -- for a part of the post-meeting, yes.

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Q And then what was discussed at that post-meeting debriefing?

A So Ambassador Sondland relatively quickly went into outlining how the -- you know, these investigations need to -- or the deliverable for these investigations in order to secure this meeting. Again, I think, you know, I may not have agreed with what he was doing, but his intent was to normalize relationships with -- between the U.S. and Ukraine, and this was -- as far as I understand, this is what he believed the deliverable to be.

Q Who did he believe -- or let me -- withdrawn.

Do you understand how he came to believe that this deliverable was necessary?

A So I heard him say that this had been coordinated with White House Chief of Staff Mr. Mick Mulvaney.

Q What did he say about that?

A He just said that he had had a conversation with Mr. Mulvaney, and this is what was required in order to get a meeting.

Q Did he explain what the investigations were that were needed?

A He talked about the investigations, which -- I guess I'll refer to my statement. So, I mean, it was the 2016 -- these things tended to be conflated at some point. So he was talking about the 2016 elections and an investigation into the Bidens and Burisma.

Q What do you mean "they tended to be conflated"?

A So, initially, there was a -- the narrative was just about 2016. As time moved on through the spring and summer, the narrative had changed to both the preceding, I guess, issues that -- with Ukraine

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and interference to also the Bidens and their involvement in, you know, any misdealings there.

Q And when you say "the narrative," what do you mean?

A So I saw this unfold, a lot of this unfold, frankly, in the press. And the initial story line was on, you know, on -- the initial story line was focused on Ukrainian interference in 2016 elections.

And then, subsequently, it was the Bidens began to be incorporated into this narrative and that Hunter Biden, who was on the board of this firm Burisma, was involved in some misdealings. There was an investigation into Burisma, and the story goes that the Vice President had the prosecutor general that was responsible for this investigation removed to terminate this investigation into Burisma.

Q This was the narrative that was out, is that what you're saying?

A Yes.

Q Now, you had said a moment ago that this, as you just said, is a narrative, but when Ambassador Sondland mentioned these investigations, I think you referred to that as the first time there were professional communications related to that. What do you mean by that?

A Government officials that were -- so that was the first time I've heard firsthand a government official talk about these investigations and the fact that this investigation was a do-out for anything --

Q What --

A -- or deliverable for anything.

Q Did Ambassador Sondland -- were the Ukrainian officials in the room when he was describing the need for these investigations in order to get the White House meeting?

A So they were in the room initially. I think, once it became clear that there was some sort of discord amongst the government officials in the room, Ambassador Sondland asked them to step out of the room.

Q What was the discord?

A The fact that it was clear that I, as the representative -- I, as the representative of the NSC, thought it was inappropriate and that we were not going to get involved in investigations.

Q Did you say that to Ambassador Sondland?

A Yes, I did.

Q Did anyone else other than you or Ambassador Sondland participate in this discussion related to the investigations?

A One more time, please.

Q Did anyone other than you or Ambassador Sondland participate in the discussion about these investigations?

A There were other people in the room, yes. Did they participate?

Q Did they say anything?

A Did they say anything? I think mainly people were listening at that point. It was kind of an uncomfortable conversation, so people were just listening to it unfold.

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Q What did Ambassador Sondland say in response to you telling him that this was inappropriate?

A He at that point started to, I guess, moderate what he had been calling for. First, I think, as I recall, he brought in the fact that, you know, this is per his conversation with White House Chief of Staff's Office.

And then when I said -- well, I explained to him, actually, I'm not a politician, I don't, frankly, know how these things work, and I didn't think it was appropriate. I think, you know, he stopped pushing it, and about the same time is when Dr. Hill came in from her meeting with Ambassador Bolton.

Q Why did you think it was not appropriate?

A I just -- I thought it was inappropriate to have -- to call for an investigation -- to call a foreign power to investigate a U.S. citizen. In my mind, I had spent quite a bit of time in that part of the world. I understand how the justice system works. It's not a rule of law that governs.

These could all be orchestrated to achieve some sort of objective. And, in my mind, I thought it was, you know -- if they thought that this was in their national security interests and they could potentially get away with it -- you know, I'm not talking about the Ukrainians; I'm talking about foreign powers in general -- and if they thought that it was in their national security interests -- and this is a country that's fighting a war against Russia -- and they could get away with it, I mean, why should they really care that much about

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domestic politics at a different country? They're going to do what they need to to protect and advance their own national security interests.

And, you know, this would not be -- if they chose to do it, they could potentially tip the scales, and this would not be a fair investigation, and it would provide, you know, compromising or maybe even fabricated information, if need be. So these things, these thoughts were all going through my mind.

Q What did Dr. Hill say when she walked in?

A I -- in about, you know, 5 or 10 seconds, I quickly kind of caught her up on what the conversation had been. And she had just returned from Ambassador Bolton's office, and, you know, she was -- she was irritated, and she basically backed up the position that I had laid out, which is that this was inappropriate and that we would -- you know, the NSC -- it had nothing to do with national security and that the NSC was not going to get involved in it.

Q And what happened next?

A We relatively quickly broke up from there. I brought the Ukrainians in, and I took them back out, so through -- up to the security checkpoint, said goodbyes. You know, I had met Mr. Danylyuk a couple times, so we exchanged some pleasantries and, you know, said something about looking forward to working with him and seeing him in the future, and escorted him out.

Q Did Ambassador Sondland respond to Dr. Hill in any way?

A I apologize. So these -- that's the normal format. I think

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that's what played out in this case, in terms of me escorting him out. I also vaguely recall a brief conversation that we -- with Dr. Hill that we needed to follow up on this matter also. Somewhere in that process, we also had that, you know, just a quick --

Q Just you and Dr. Hill?

A Yes.

Q And that you both wanted to follow up?

A That we had -- we need to discuss, you know, the matter and, you know, what we do from there.

Q Okay. Just going back a minute to when Dr. Hill came in and said it was inappropriate, did Ambassador Sondland say anything in response to her?

A I, frankly, do not recall exactly what he said. I -- to the best of my recollection, I think he just, you know, said, you know, we'll follow up on it later or something like that.

MS. SEWELL: Were the Ukrainians in the room when you admonished Ambassador Sondland?

LT. COL. VINDMAN: Probably not for the -- I mean, I wouldn't characterize it as admonishing him. He's an, you know, Ambassador, which is --

MS. SEWELL: When you expressed your concern.

LT. COL. VINDMAN: I think that -- ma'am, if I could say, that was more accurate. So I just expressed my concerns. And the Ukrainians would have been in there for part of it, but, again, as that -- as the discord between the National Security Council and

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Ambassador Sondland unfolded, I think they were asked to leave relatively quickly. So they heard -- they probably heard some of it, but I'm not sure how much of it they heard.

BY MR. GOLDMAN:

Q Was Ambassador Volker in the Ward Room for this conversation?

A He was.

Q Did he say anything?

A I don't recall him saying much, no.

Q Did he seem surprised to hear what Ambassador Sondland was saying?

A I'm not sure if I could -- I'm not sure if I took particular note. I think, if anything, he certainly would have been surprised by the -- kind of the expression of concerns, you know, and the fact that we were having this conversation, something of that nature, but I can't recall specifically.

Q Was Secretary Perry there for this conversation?

A I don't think he was there for this part of the conversation.

Q But his chief of staff, Brian McCormack, was?

A He was, because I mentioned, I think -- you know, he was there for the pre-meeting we had, and everything normal, no issues. We discussed policy. And I think he said that he had a Hill testimony or Hill encounter and that he would not be able to stay, and he was represented by Mr. McCormack.

Q Was anyone else there from the American side?

A I think there were some staffers, but I apologize, I don't

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recall who the staffers were.

Q What did you do to report this up the chain?

A At that point, I -- I know that both Dr. Hill and I had concerns. I believe -- let me -- just trying to think through the timeline. That occurred -- that meeting occurred in the late afternoon. I mean, I very quickly went and spoke to the senior White House -- or senior National Security attorney and, you know, relayed the incident, the fact that, you know, this investigation that had previously emerged in open source and had certainly been connected to the -- what Mr. Giuliani was pushing, was now being pulled into a, you know, national security dialogue. And I relayed these elements.

Q Okay. Before I get there, what did you understand Mr. Giuliani's relationship to the President to be?

A I don't -- I have never met the President. I have never met Mr. Giuliani. As far as I know, it's just what's in the news, which is that he's his personal attorney.

Q Who did you report this incident to?

A So, on that occasion -- yeah, on that occasion, I spoke to John Eisenberg, the NSC legal counsel.

Q And I may have missed this, but when was that conversation?

A That occurred in the afternoon, and I spoke to him the same day in the afternoon.

Q Just the two of you in that conversation?

A In that one, yes.

Q And did you take any notes to memorialize this meeting and

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then debriefing in the Ward Room?

A So I took notes on the official meeting that we had scheduled, as per normal practice, but I didn't take any meetings from the -- any notes from the Ward Room. Frankly, probably, the most accurate notes would be what Mr. Eisenberg would have taken down during our conversation.

Q And do you recall that he took down notes?

A Yes.

Q So explain what you said to Mr. Eisenberg.

A I think -- I believe I can't go further into that.

MR. VOLKOV: I think if we can, I don't have a problem with him sort of just summarizing it, but it's a privileged conversation in that he's counsel. So, if he can just summarize it generally. It's not a very long conversation.

BY MR. GOLDMAN:

Q That's fine if you want to summarize it generally. Just to be clear, I don't necessarily agree with the privilege assertion, but if we don't need to get there, then maybe that's best.

A Sir, I think I -- I mean, the top line I just offered, I'll restate it, which is that Mr. Sondland asked for investigations, for these investigations into Bidens and Burisma. I actually recall having that particular conversation.

Mr. Eisenberg doesn't really work on this issue, so I had to go a little bit into the back story of what these investigations were, and that I expressed concerns and thought it was inappropriate.

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Q And what did he say to you?

MR. VOLKOV: If I can object just at this point, and we can work -- we can talk about this at a break, but I believe it's privileged.

BY MR. GOLDMAN:

Q Well, let me ask you this: Rather than what he said to you, did he indicate to you that he was going to do anything with your information?

A You know, I'm not sure. Frankly, what I was doing is I was reporting something to the chain of command, a concern I had. You know, what he did with that information is probably above my pay grade.

Q No, no, I understand. Did he say anything to you, that, all right, I'm going to do anything with it?

A I vaguely recall something about: I'll take a look into it. You know, there might not be anything here. We'll take a look into it, something of that nature.

But -- and then he offered to, you know, if I have any concerns in the future, you know, that I should be open -- I should be -- feel free to come back and, you know, share those concerns.

Q Did either he or anyone from the legal staff circle back to you on this issue?

A No.

MR. HIMES: Just for clarity, Counselor, are you asserting privilege on behalf of your client or on behalf of someone else?

MR. VOLKOV: Well, he's seeking -- on behalf of my client in the sense that he's seeking advice. It's as if he was in a company, and

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the company counsel is telling him "here's what we're doing" -- my concern with this is he is seeking advice from in-house counsel. And I believe that the advice that he got, the substance of it -- I don't have a problem with sort of "here's the communications that I did," but in terms of the response and any detail about that, I think that's privileged as to him being -- working at the White House, and it's the White House's privilege. We could talk about it, but it's not worth wasting a lot of time on.

MR. HIMES: Yes, let's defer that conversation until when it becomes necessary to have.

BY MR. GOLDMAN:

Q Colonel Vindman, did you -- after this meeting on July 10th, either the meeting with Ambassador Bolton or the post-meeting debriefing, did you have a subsequent conversation with Ambassador Bolton about any of this?

A I did not.

Q How about with -- other than the short conversation you had with Dr. Hill where you agreed to report it up the chain, did you have any additional conversation with her?

A I did, yes.

Q Can you describe those -- was it one or more conversations?

A I mean, it could have been more than one, but, frankly, I remember one --

Q Describe that conversation.

A -- conversation. And in it, she relayed to me that

Ambassador Bolton was -- was very irritated by the meeting, and that's why he ended it abruptly, and that, you know, we discussed the fact that -- I think I told her at that point that I had already reported it to legal counsel, and she said she was going to do the same thing.

And we also discussed the fact that we thought it was inappropriate and, you know, had nothing to do with national security, and we were not going to get involved in it.

Q I want to move ahead to a couple weeks later, and we're going to spend a little time --

A Sir, maybe if you don't mind, I think it's also important to note that, you know, I made my report to the chain of command, but I also had a role in terms of coordinating advancing U.S. policy. So this is not something that we spent a lot of time dwelling on.

We -- I thought I'd handled it appropriately, and I moved on to my job of advancing U.S. national security interests by, you know, looking to the next engagement, figuring out what we need to do next step. There's always constantly something. The National Security Council has busy days, lots going on. And, you know, frankly, we just moved on to the next thing that we needed to do in order to do our jobs and advance the national security interests.

Q And is it fair to say that encouraging Ukraine to conduct investigations related to domestic U.S. politics was not in the U.S. national security interests?

A In my view, I don't think it was. And it had inherent risks in that -- it had inherent risks in that, frankly, if Ukrainians took

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a partisan position, they would significantly undermine the possibility of future bipartisan support.

Losing bipartisan support, they would then lose access to potentially, you know, hundreds of millions of dollars in security assistance funds. The amount of money that we're talking about here, \$400 million, might not mean much, you know, in terms of the U.S. budget. For a normal person it does, but for a U.S. budget it's, you know, a fraction of a fraction.

But for the Ukrainians, it amounts to about 10 percent of their military budget, roughly. And, you know, that is -- that actually amounts to a significant portion of their GDP because the Ukrainians also spend about 5 to 6 percent of their GDP on defense because they're fighting an active conflict against the Russians.

So this is not a negligible amount and, you know, we're basically trying to continue the relationship and advance the U.S. national security interests. And losing bipartisan support would have a significant cost.

Q We may circle back to this a little bit more later, but I want to fast-forward to the July 25th call. How did that call come about?

A So just like the July 21st call, we --

Q You mean, the April 21st?

A Yeah. Apologize. Thank you.

Q No problem.

A Just like the April 21st congratulatory call, which occurred

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on the actual election day, Ukrainian election day, we had proposed a congratulatory call again for President Zelensky's party winning. And the expectation actually at that point was pretty clear, that he was going to do quite well.

The discussion was whether he was going to get an outright majority, whether he was going to have to develop a coalition faction in order to advance his agenda of rooting out corruption, implementing reforms. And we thought it would be -- it would be a good signal of support to him and his party and his agenda to organize another congratulatory call, and this one was going to occur sometime in the timeframe of July 21st.

Q Do you know who was involved in prepping President Trump for the call?

A I'm not sure. I mean, "prepping," could you clarify? What do you mean by "prepping"?

Q Well, did President Trump receive any reading materials prior to the call?

A Yes.

Q And who provided those?

A So, typically, the way this works -- and this is what happened in this case -- is I drafted read-ahead materials, the talking points. All the materials, it goes through a staffing process, and then it gets forwarded from Ambassador Bolton to the President and Executive Secretary.

Q Were you aware of whether the President or the chief of staff

had any conversations with Ambassador Sondland prior to this call?

A I am not. I wouldn't.

Q Did you include anything in your talking points about investigations into the 2016 election or the Bidens or Burisma?

A Definitely not.

Q Did Ambassador Bolton say anything to President Trump, to your knowledge, about those investigations?

A To my knowledge? I'm not aware.

Q And so were you aware of whether anyone from the State Department spoke to President Trump prior to the call?

A No.

Q Is that -- would that be ordinary practice; it would all come from the NSC usually?

A So I could only speak about my, you know, experiences. It's -- it's unclear, but it wouldn't be necessarily abnormal that the President would consult with appropriate senior officials for these type of things, but I have no knowledge of whether that happened.

[10:32 a.m.]

BY MR. GOLDMAN:

Q And did you or anyone on the NSC talk to any Ukrainian officials in advance of the call about the call?

A So the calls -- what we would do in this case is we would alert the embassy, meaning our U.S. Embassy and Ambassador, that a call would occur, and then a coordination would occur through, you know, the communicators, White House communicators to U.S. Embassy communicators to the Ukrainians to make sure that all the switches and so forth were in place.

Q So that's more of a technical, procedural --

A Technical logistics.

Q But nothing substantive, as far as you knew?

A In terms of substantive, we certainly told, you know, our U.S. Embassy there that, you know, the congratulatory call was on, and that's probably about it, frankly.

Q Are you aware of whether either Ambassador Sondland or Ambassador Volker spoke to any Ukrainian officials about the substance prior to the call?

A I was not.

Q Well, let me ask you, were you aware at the time of whether they did?

A No.

Q Okay. Now, you said in your opening statement that you listened to the call. Where were you listening to the call?

A In the White House Situation Room.

Q Okay. And who was in the Situation Room with you listening to the call?

A So to the best of my recollection, I think the Deputy National Security Advisor was in there. My immediate supervisor, Tim Morrison, was in there. Lieutenant General, retired, Kellogg was in there. He's the Vice President's National Security Advisor. My counterpart on his staff.

Q On whose staff?

A My counterpart on the Vice President's staff.

Q Who is that?

A I mean, it's a staff officer. Jennifer Williams.

Q Okay.

A And then, let me see, I think NSC press was there also. A representative from NSC press was in there.

Q Do you know who that was?

A Yeah. You know, I know I probably need to name some names, but it's just really uncomfortable. We're talking about working-level people, and I -- you know, it's kind of a big show here. And so I apologize for the hesitancy. It's just that --

Q So you'll have an opportunity to review the transcript.

A Okay.

Q And if you or your counsel would like to recommend, you know, redactions for national security reasons or other reasons, you'll have that opportunity. But we do need to know who the names are.

A I understand. It's just uncomfortable that, you know, somebody else could be brought into this that really didn't have anything --

[Discussion off the record.]

LT. COL. VINDMAN: I understand. [REDACTED] was the press officer that was in there. I think that accounts for everybody that was in the room.

BY MR. GOLDMAN:

Q And where was the President when he made this call?

A I don't know.

Q Okay. But did Ambassador Bolton listen to the call?

A He wasn't in the room. I believe he was traveling, and I don't know if he listened in on the call.

Q Okay. Do you know whether he had any concerns about the call in advance?

A I think, I guess, in general, there were some concerns about the kinds of interactions the administration could have with the Ukrainians just after, you know, the stories that were reverberating through U.S. media. And certainly after the July 10 meeting, there was some concerns that, you know, there could be some stray voltage in these calls, so, yes.

Q Sorry, what did you say?

A Stray voltage.

Q What does that mean?

A It means things that had -- it's a term of art where, you

know, things that had nothing to do with, you know, the substance at hand could somehow be brought into the discussion. So, yes, I think there were some concerns.

Q And how was this call memorialized in realtime?

A So, you know, frankly, I didn't really dig deep into this process, didn't really fully understand it until it unfolded. But what I typically see is what's called a TELCON. It's a telephone communication. It's not quite a transcript, so it's not verbatim, but it's pretty close to it.

Q Before we get there, I just want to understand, in the Situation Room, were there stenographers or people or recording, or how does it work?

A So certainly the staff officers would take their notes, and the reason for that is that you need to make sure if there's a do-out that you're able to pass that on to the appropriate department agency for coordination to advance U.S. national security policy. So people were taking notes.

But in terms of the way these things are traditionally memorialized, there's a transcript that's produced -- or, you know, a transcript seems to imply that it's completely verbatim. Something along a transcript that -- very accurate, but not maybe flawless, that catalogs what's been discussed and then that goes into a staffing process to try to make sure it's accurate.

Q And what does that process entail?

A So typically what ends up happening is the transcript is

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produced by the White House Situation Room. It goes to the people that were in the room, maybe not even always all the people in the room, but the relevant people, like the director, senior director for the directorate in which the country falls, legal. And then you review the transcript to make sure it's accurate, because, again, it's not verbatim. It's not recorded or anything of that nature, as far as I understand.

Q Did you have the opportunity to review the transcript and compare it to your notes?

A I did.

Q Did you make any changes or suggestions?

A I did make a couple of changes and suggestions.

Q Okay. Now, let me -- I'm going to give you the call record now, and we'll mark this as Exhibit 1.

[Majority Exhibit No. 1

Was marked for identification.]

BY MR. GOLDMAN:

Q Now, this has now obviously been declassified and publicized. Have you, prior to coming here today, have you had an opportunity to review this carefully again?

A I have.

Q Okay. And you obviously saw this in realtime, correct?

A Yes, sir.

Q At the time, would you have -- so just explain the process

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to me. So you make your own edits or suggestions, and then what happens after that?

A So the transcript is produced. It goes through the executive secretary from the National Security Council. It gets pushed out to the appropriate people for review. It goes through legal review, and then it goes to leadership for their final review, and then it goes into, you know, the historical record.

Q And is it disseminated among the cabinet-level officials or others who would need to know?

A I don't know.

Q You don't know that.

So do you ever then see the final version after you make your edits?

A Normally it would. In this case, the way it was managed, I didn't see the final version after my edits. And, frankly, under normal circumstances, I would put my edits in and then, you know, if those edits were deemed appropriate by my leadership or legal, they would enter the record; if they weren't, you know, I basically provide my contribution, but it doesn't -- you know, I'm not the final say on how the transcript looks.

Q But ordinarily you'll make your contribution. It goes to the full process to be finalized, and then the final version does come back to you?

A It doesn't, but I do have the ability to -- you know, if I wanted to, I could go into the system and take a look at it, make sure

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all the changes were made, you know.

Q And you said that normal process did not occur here?

A It didn't. It did not.

Q What was different?

A As opposed to going into the standard communications system, it went into a different type, a different, more secure system. And in this particular system, while I did have an account, it was not functioning properly, so I had to go analog and take a look at -- get a hard copy of it, make some -- annotate some changes to it, return it, and, you know, I guess it went through a paper process.

Q So even in the editing process that you normally do, that was done in a different way?

A Yes.

Q In other words, it was on a different system and you had to use a different process to put your edits in?

A Yes.

Q And how long after the call is this process done?

A It's usually -- the effort is to expedite it and make sure you have an accurate, you know, recitation of the call within a fairly short period of time. We're talking about days.

Q So do you recall how soon -- or do you recall when you first learned that this call was placed in the more highly classified system?

A That conversation occurred alongside the conversation with Mr. Eisenberg in which I voiced concerns about the July 21 call.

Q Before we --

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MR. VOLKOV: July 25.

BY MR. GOLDMAN:

Q July 25.

A 25th, yeah.

Q But before we get to that, I guess, I am just wondering, because you -- when you made your edits, it was already in that system?

A So, yes. It was already shifted over to that other system.

MR. VOLKOV: Can we just to clarify the record make clear, when you're talking about "this" system --

MS. CAREY: Can you speak into the mike, please.

MR. VOLKOV: Oh, I'm sorry. Just to clarify, can you just -- because we're talking about "this" system, "that" system. What is this system it got put into, the acronym, just so it's clear when it went into that. And he was present for a conversation about that. So --

BY MR. GOLDMAN:

Q I understand. We'll get to that. I'm just curious as to sort of -- I want to go through the process of finalizing the transcript first, and then we'll get to your conversation with legal, which you referenced in your opening statement.

But the question is just that, was it already in this -- was it already routed differently by the time that you were taking a look at it for the first time to add your edits?

A Yes.

Q Okay. Now, what we see here in Exhibit 1, is this a standard

MEMCON or -- yeah, MEMCON, memorandum of telephone conversation for Presidential phone conversations?

A It is.

Q It is the standard version?

A Yes, that's what they typically use --

Q Is there a word-for-word transcript that is produced of these conversations?

A I don't believe so.

Q Okay. So this is usual?

A Yes, completely normal.

Q Now, and is there an audio recording?

A I don't believe so.

Q At least not in the U.S.?

A True.

Q So you've now had an -- let me -- sorry. Withdrawn.

Did you ever look at the final version that was placed in the highly classified system?

A So the version I saw was still the one that was in staffing. I did not have a chance to see, you know, the end result, which is what was released after I made my edits.

Q And is the end result what you understand to be Exhibit 1 that was released on September 25?

A Yes, correct.

Q Okay. Now, let me ask you this question: Did the end result incorporate all of your edits?

A So there were probably some, you know, nonsubstantive edits that I don't recall what I necessarily put into it, but there were a couple of things that were not included.

Q And can you point us --

A Sure.

Q -- to what those were or are?

A Yeah. So page four, bottom of the first paragraph, let's see, okay, so that ellipses where it ends with "it," there was a comment about there are recordings from the President. He said that "there are recordings" of these misdeeds.

Q Okay. And that ellipses substitutes for there are recordings?

A Correct.

Q To your recollection?

A Yes. This is what's in my notes also.

Q From the --

A So it's not just the recollection. I took notes from the call.

Q Okay. And are you still in possession of those notes?

A They're in my highly classified notebook.

Q Got it. All right.

So if you could just read the sentence that you're referring to starting with "The other thing."

A Yeah. Biden went into bragging that he stopped the prosecution --

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MR. VOLKOV: No. No.

LT. COL. VINDMAN: I'm sorry. How far back do you need? Okay. Let's see. Okay. Got it.

The other thing, there's a lot of talk about Biden's son, that Biden stopped the prosecution, and a lot of people want to find out -- to find out about that. So whatever you can do with the attorney general, that would be great. Biden went around bragging that he stopped the prosecution, so if you can look into it. There are recordings -- in my -- the way I had it. It sounds horrible to me.

BY MR. GOLDMAN:

Q Okay. So "there are recordings" substitutes for the ellipses --

A Correct.

Q -- that we see here?

Okay. Was there anything else that was different?

A There's one other substantive item in the next paragraph from Zelensky, where it says, "He or she will look into the situation specifically to the company" -- it shouldn't be "the company." It should be "to Burisma that you mentioned." Because I think, you know, frankly, these are not necessarily folks that are familiar with the substance. So President Zelensky specifically mentioned the company Burisma.

Q All right. So why don't you do this, first, just read the sentence as it is in this exhibit.

A "He or she will look into the situation specifically to the

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company that you mentioned in this issue."

Q And then read -- can you restate it with what you recall Zelensky saying?

A "He or she will look into the situation specifically into Burisma," and I think that's, you know, that's where it ended.

Q Okay. So --

A And it continued on --

Q So this call record substitutes the following phrase, "the company that you mentioned in this issue," for what Zelensky said, "Burisma"?

A Correct.

Q Okay.

A Again, it's in my notes. That's what I took down as the call was occurring.

Q Understood.

Is there anything else that you recall as being substantively different?

A Substantively, I think those are the only two items.

Q Now, I believe that there are other ellipses in here. On top of page three, for example, the President -- President Trump says: I would like you to do us a favor though because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine. They say CrowdStrike, dot, dot, dot, ellipses. I guess you have one of your wealthy people, dot, dot, dot, again, another ellipses. Do you know

whether those ellipses replaced other substantive statements?

A To the best of my recollection, I think at the end of CrowdStrike, "they say you have it," was said.

Q "They say you have it"?

A Yeah.

Q So the President says, "They say CrowdStrike, they say you have it."

A Uh-huh.

Q "I guess you have one of your wealthy people"?

A Yeah. I don't recall frankly. Oh, you know what? So, frankly, it covers it. So I don't -- if you look, you know, a couple more words down, it says, the server, they say Ukraine has it. So that's covered. I don't recall what those ellipses are.

Q But generally speaking, when there are ellipses here, do they replace words?

A Not always. Like I said, in my notes, if it was a Ukrainian word or something that required some content and it was not in there, I'd replace it, but not every ellipses has something else with it.

Q Okay. Now, you stated in your opening statement that you were concerned by the call. Can you explain a little more what you were concerned about?

A Yes, sir. So, I guess, I think, frankly, the statement captures it adequately, but I'm happy to go over it again. I was concerned about the fact that there was a call to have a foreign power investigate a U.S. citizen, and I didn't think, you know, that

was -- first of all, I didn't think that would be a credible investigation, and, you know, in any way would necessarily reflect reality. It could be a country advancing its own interests.

And then I also was concerned about the fact that, you know, there seemed to be a lot of leaks. And, frankly, if this was -- as this story was unfolding, as this narrative was unfolding, I'd periodically talked to the Ukrainian officials at the U.S. Embassy here.

And I would say -- when they would ask me, you know, what do we do in this situation, I'd give them the same counsel consistently. The counsel I'd always give them is it's a domestic issue, stay out of U.S. domestic issues. It could fracture your bipartisan support. So this was -- you know, this was not something that was new to me. This was also, as this conversation was unfolding, this thought was coming through -- flowing through my mind.

You know, during the bilateral meetings with the President of Ukraine in which it was -- you know, on the 21st of May, you had Secretary Perry that was leading the delegation, the two things I said to Ukrainians, really one of them is probably appropriate to mention here, you know, please stay out of U.S. domestic politics. Don't involve yourself in this issue. This is something that was completely consistent throughout, you know, this period of time as the story unfolded. So that's what was going through my mind.

Q And we'll get back to the fact that -- that conversation in May that you had with the Ukrainians. But did you understand that these investigations that the President was asking for may be to his own

political benefit as well?

A Yes.

MR. GOLDMAN: Okay. I think our time is about up.

THE CHAIRMAN: Let's take a 5-minute break to use the facilities and resume in 5 or 10 minutes.

[Recess.]

[11:11 a.m.]

THE CHAIRMAN: Let's go back on the record. 1 hour to the minority.

BY MR. CASTOR:

Q Good morning, sir. Thank you for your service, both in war and peace.

I want to go back to the July 10 meeting in Ambassador Bolton's office. Can you just tell us precisely, what did Sondland say that caught your concern?

A So for that meeting, frankly, I was very focused on the substance, the national security content for the meeting. And I do recall him talking about investigations, but my reaction, you know, was probably relatively subdued.

What very quickly unfolded thereafter was that Ambassador Bolton ended the meeting, and, you know, something to the extent of, well, it was nice meeting you, looking forward to working with you, went out for the phone call and that was it. So --

Q You mean the photo?

A Photo, correct. Thank you.

Q Okay. Do you recall the specific words Ambassador Sondland used?

A For that one, I do not recall the specific words --

Q Okay.

A -- because, frankly, in my view, it seemed -- it was -- he was talking to the room. You know, it was not something that I was

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very, very focused on. But in the following conversation, it was a conversation between the two of us, and that one I do recall.

Q I'll get to that in a second. So in Ambassador Bolton's office, you remember him using the terminology "investigations"?

A Yes.

Q Okay. Did he use the terms "2016"?

A I don't recall.

Q Okay. How about the Bidens?

A I don't recall.

Q Burisma?

A I don't think so, no.

Q So the terminology "investigations," what gave you concern about that word?

A Like I said, on that one I was maybe not completely attuned to everything that was going on in term -- I was not attuned to this particular element. I was, again, more focused on the fact that there was still some content that we needed to get through.

You know, without getting too much into the detail, I was very focused on, you know, what this bilateral cooperation framework would be, and I was more worried about how we -- even though we segued into this conversation on meeting, you know, that we still had some more substance to get through maybe to get back on track.

But since we did discuss this, Ambassador Sondland came in with the notion that the Ukrainians had to do an investigation. My understanding -- and correction. My recollection is the idea is to

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pin down a --

Q No I'm just talking about what Sondland said though.

A Right. So that -- I'm sorry. So the idea was -- I know what he was doing.

Q Okay. But at the time the President had a deep-rooted view of corruption in Ukraine. He was skeptical, correct?

A Correct.

Q And the U.S. officials in the room knew about that skepticism, right?

A Correct.

Q So there was issues with the prosecutor general in the country at the time, Lutsenko, correct?

A Correct. He was --

Q And he was going to be removed?

A Yes, correct.

Q Replaced?

A Yes.

Q And is it true that the new incoming administration was going to conduct some audit of the investigations to find out if there were any matters pending during the Lutsenko or Shokin eras that needed to be reopened?

A So what I found, I guess, concerning is that there were --

Q No. No. I'm just asking --

THE CHAIRMAN: Can the witness please answer the question?

LT. COL. VINDMAN: I guess what I found concerning is when this

matter of investigations came up, the part that I recall is that there were no active investigations into Burisma. So he was calling to continue an investigation that didn't, in fact, exist.

BY MR. CASTOR:

Q But I thought you said you couldn't remember if he mentioned the word Burisma.

A Well, he didn't mention the word Burisma. But when he said investigations, this was part of the narrative at the time. There was -- and you couldn't differentiate between the two. There was the 2016 interference element and then there was the Burisma element. They were all -- they were part of the same investigation, discussion, or the narrative.

Q Right. But if he just used innocuous words like "investigations" that weren't tied specifically to Burisma or Biden, what caused the concern?

A So for me, I knew that there was no investigation, so it was not clear what a benign use of the word "investigation" would be. He's not an expert in Ukraine, and frankly this is the only thing that was in the narrative in terms of investigations. There was a significant amount of reporting on this. And if that was not clear in my mind just yet, it became apparent in the following meeting.

But like I said, you know, the part that maybe is, I apologize, in my view, more significant is I didn't terminate the meeting. Ambassador Bolton was, for some reason, you know, having whatever analogy did -- thought it was time to end this meeting because it was

inappropriate.

Q Right. So, no, I'm just trying to get your firsthand account of --

A Sure.

Q -- if a generic term like "investigations" was used, we're talking about a country that had a history of corruption, had a history with their prosecutors not genuinely prosecuting things --

A Correct. Correct.

Q -- why that caused alarm?

A Because the request was to continue investigations that didn't exist.

Q Continue or reopen?

A Continue.

Q Okay.

A Because that was the -- I guess, the -- my recollection is it was continue an investigation that did not, in fact, exist.

Q Okay. Sondland made the statement to continue investigations that didn't exist?

A No. He said to conduct -- again, to the best of my recollection, to conduct these investigations or continue these investigations. And my immediate reaction was, what investigations? There's no active investigation.

Q Okay. And then the second time Sondland referenced investigations was in the Ward Room?

A Correct.

Q And what do you recall specifically of what Sondland said to the Ukrainians --

A Right.

Q -- in the Ward Room?

A So that is right, the conversation unfolded with Sondland proceeding to kind of, you know, review what the deliverable would be in order to get the meeting, and he talked about the investigation into the Bidens, and, frankly, I can't 100 percent recall because I didn't take notes of it, but Burisma, that it seemed -- I mean, there was no ambiguity, I guess, in my mind. He was calling for something, calling for an investigation that didn't exist into the Bidens and Burisma.

Q Okay. Ambiguity in your mind is different from what you --

A Sure.

Q -- actually heard?

A Right. Correct.

Q What did you hear Sondland say?

A That the Ukrainians would have to deliver an investigation into the Bidens.

Q Into the Bidens. So in the Ward Room he mentioned the word "Bidens"?

A To the best of my recollection, yes.

Q Okay. Did he mention 2016?

A I don't recall.

Q Did he mention Burisma?

A My visceral reaction to what was being called for suggested

that it was explicit. There was no ambiguity.

Q I'm just saying, did he mention like investigations generically?

A No. It wasn't just investigation generically.

Q Did he mention 2016?

A This was all part of the same consistent narrative, 2016 elections --

Q Just what you heard though, in the Ward Room.

A Again, based on my visceral reaction, it was explicit what he was calling for. And to the best of my recollection, he did specifically say "investigation of the Bidens."

Q Okay. But not Bidens and Burisma?

THE CHAIRMAN: Counsel, you're being a bit repetitive. The witness has been asked this question now five, six times.

[Discussion off of the record.]

LT. COL. VINDMAN: That's right. So --

MR. CASTOR: These are two different meetings though we're talking about.

THE CHAIRMAN: I understand.

LT. COL. VINDMAN: So the meeting that occurred in the Ward Room referenced investigations into the Bidens, to the best of my recollection, Burisma and 2016.

BY MR. CASTOR:

Q Okay. So 2016 was mentioned in the Ward Room?

A To the best of my recollection.

Q Okay. And then Dr. Hill comes into the meeting at some point?

A She did. After she completed her meeting with Ambassador Bolton, she joined the meeting.

Q Now, when she joined the meeting, were the Ukrainians still in the meeting or had they --

A They had stepped out.

Q They had stepped out?

A Yes. Ambassador Sondland had --

Q And what did Dr. Hill say to you in that Ward Room?

A So as soon as she came in, I took the opportunity to very quickly lay out that there was a discussion on these investigations that Ambassador Bolton was attempting to kind of lay out the deliverable --

[Discussion off of the record.]

LT. COL. VINDMAN: Yeah. Good. Thank you. Ambassador Sondland, yes, she had returned from the meeting with Ambassador Bolton. I very quickly caught her up on the conversation I was having with Ambassador Sondland, in which he was laying out the deliverable. And as soon as she heard it, she said the same thing I said, this is inappropriate. It had nothing to do with national security.

BY MR. CASTOR:

Q Okay. When did the photo happen?

A That happened between the post meeting and the meeting in Ambassador Bolton's office.

Q Okay. So Ambassador Bolton ends the meeting abruptly?

A Yes.

Q Okay. He didn't go ballistic, did he?

A No.

Q He was professional and courteous?

A He was professional and courteous.

Q So he ends the meeting?

A Correct.

Q Was it earlier than scheduled, or was it on time?

A Just a few minutes -- oh, probably -- I said the meeting went for about 30, 35 minutes or so, so we allocated about 45 for this. So he did end it a little early.

Q Okay. And are you 100 percent certain that he ended it because he was uncomfortable, or he may have ended it because he had another calendar appointment?

A He ended it abruptly. And at that time, I frankly didn't know exactly why he ended it. It became clear from what Dr. Hill told me later that he was actually fairly distressed by what had occurred.

Q Okay. Dr. Hill told you Ambassador Bolton was distressed?

A Yes.

Q What did she tell you?

A She said that he was upset with what Ambassador Sondland was attempting to orchestrate. And in her account to me, she did specifically say, you know, he was a live hand grenade, or something to that extent.

Q Who was a live hand grenade?

A So, I guess, let me complete that logic. So that Ambassador Sondland was trying to orchestrate an investigation being called by Mayor Giuliani who was a live hand grenade.

Q Okay. So that's what Dr. Hill related to you?

A Correct.

Q Relating something Ambassador Bolton told her?

A That's right.

Q Okay. So the meeting ended. Then the parties went out for the photograph?

A Correct.

Q Okay. And then Ambassador Bolton went to his next calendar appointment or he --

A He pulled Dr. Hill into a short meeting.

Q Was she in the picture?

A She was not.

Q Okay. Where was she during the picture?

A She was off to the side, and I was off to the side.

Q Okay. So she was out there with you?

A Yeah. All of us were out there. So I was actually taking the photo, so I was, I guess, less focused on what she was doing. It's possible -- I mean, you know, I've been there for a year and a half. It's quite possible she stayed behind and --

Q Okay. I'm just trying to --

A -- talking to the exec sec -- the upper suite folks to, you

know, determine what else she had on the plate. I don't know. But I don't recall exactly what she was doing, frankly.

Q Okay. So then the parties went to the Ward Room?

A Uh-huh.

Q And then at some point Dr. Hill joined you?

A Yes.

Q Okay. Did she instruct you at that point to go talk with John Eisenberg?

A At that point we were still --

MR. VOLKOV: Excuse me, which point?

MR. CASTOR: After the meeting.

MR. VOLKOV: Okay. After the meeting, okay.

MR. CASTOR: Yeah.

BY MR. CASTOR:

Q Yeah.

A So after the parties broke up and I was getting ready to, if I recall correctly, escort our Ukrainian guests out, we had a short conversation, and I think we agreed that, you know, there was something to talk about. And I do believe she told me to talk to Mr. Eisenberg.

Q Okay. Did she tell you to talk with Mr. Eisenberg in the Ward Room or after you had escorted the Ukrainians out?

A I think it was after we were escorting the -- so you exit the Ward Room. You're going out of the White House West Wing, and, you know, that's not a very long walk, but there's enough time to have a short conversation. So in that period of time we had a brief

conversation, and as far as I can recall, that's when she said we should talk to legal, I think.

Q Okay. And then how did you get to Eisenberg?

A I think --

Q Did you just walk into his office? Did you get an appointment?

A No. I'm not 100 percent certain if he was immediately there right after the -- you know, he's also quite busy. So I think after I made it back into the building I went into legal to see if he was available, and I don't recall if I got a meeting with him -- I mean, I didn't have to schedule it. I just --

Q Sure.

A It's kind of informal. I either met with him right there and then or very shortly thereafter.

Q Okay. And who was in the meeting with you and Eisenberg?

A Just me and Mr. Eisenberg.

Q So Mr. Ellis was not in the meeting?

A No.

Q Okay. And how long did the meeting last?

A Probably about 15 to 20 minutes.

Q Now, were you like reporting a crime? Were you reporting that you felt uncomfortable? Were you reporting misconduct by Ambassador Sondland?

A I was not -- I did not believe I was reporting a crime. What I was doing is what I normally would do in a situation where I felt

uncomfortable, felt something was inappropriate. I'd voice my concerns with the appropriate, you know, people in the chain of command.

Q Okay. So at this time you didn't think it was illegal. You just thought inartful?

A I thought it was wrong. I thought it was wrong to call -- to basically have -- to organize a situation in which you're asking a foreign power to investigate a matter. Again, it wasn't an active investigation, so they would have to start an investigation and then, you know --

Q Was it starting an investigation or continuing an investigation?

A -- in exchange for a meeting.

Q Okay. Was it starting an investigation or continuing an investigation?

A There was no investigation, so they would have to start -- I guess, I apologize. I don't know what the right answer would be from a legal perspective. There was no active investigation, so you could call it restart or continue. At the time, I wasn't aware of any active investigation, and this is something I looked into because I needed to get a handle on what the issues were.

Q Now, you mentioned your view of Ambassador Sondland that he was acting -- I mean, he thought he was doing the right thing?

A I think so, yes.

Q Okay. So is it possible that his moves here were, you know, he thought this is the way things are done? I mean, he is not an

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experienced diplomat.

A I think that is very possible that he thought he was doing the right thing. And, you know, again, with the best of intentions, he was attempting to normalize a relationship between the Russian -- I mean, I've got a lot of Russia experience in my background, so -- he was attempting to organize a meeting between the Ukrainian and the U.S. President, so he was doing what he thought he needed to to get the Ukrainians off the ax, normalize the relationship.

Q So at this point it's possible that Ambassador Sondland was being inartful, he was being, you know, not elegant?

A Yeah. Well, I can tell you, sir, that I felt it was inappropriate, and I voiced my -- as I recounted a couple times, I thought it was inappropriate and I then proceeded to express my concerns to my chain of command.

Q Okay. After you spoke with Eisenberg, who else did you communicate to about this meeting?

A So my kid brother, my twin brother is on the White House National Security Council legal team. And I --

Q Is he your kid brother or your twin brother?

A He's 9 minutes younger. He's my kid brother, whether he likes it or not. I told him I was going to get that in there.

MR. VOLKOV: Just for the record, his twin brother who has told the --

MR. CONNOLLY: Use the microphone.

MR. VOLKOV: Just for the record, his twin brother, you can tell

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them apart because he wears the glasses. The twin brother doesn't. He is actually the chief ethics counsel on the NSC.

LT. COL. VINDMAN: So for me, frankly, it seemed both as my twin brother and, you know, my most trusted person in my life besides my wife, you know, being able to bounce an idea off of him, who's also the chief ethics official, it seemed completely appropriate. I wanted to get his professional, you know, view on the situation and see if he had anything to --

MR. CASTOR: Okay. What's your brother's name.

LT. COL. VINDMAN: Yevgeny.

MR. VOLKOV: Eugene. For the record, he goes by Eugene.

LT. COL. VINDMAN: He goes by Eugene or Yev, Y-e-v or Y-e-v-g-e-n-y. Nine minutes younger.

BY MR. CASTOR:

Q Was he the next person you spoke to about this meeting?

A That's it.

Q Okay. So you spoke with Dr. Hill. You spoke with Eisenberg. You spoke with your brother.

A Right.

Q Anybody else? Did you subsequently speak to Dr. Hill about your communications --

A Yes.

Q -- with your brother --

A Yes.

Q -- with Eisenberg?

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A I don't know if I specifically mentioned my brother, but I definitely spoke to Dr. Hill about this. And that is the point in which she kind of laid out the irritation that Ambassador Bolton felt about this situation, and that's when she relayed kind of the, you know, the Giuliani narrative, live hand grenade type of thing.

Q Was there any game plan here at circling back with Ambassador Sondland to --

A Afterwards? Oh --

Q No, just to communicate NSC's concerns.

MR. VOLKOV: To your knowledge.

LT. COL. VINDMAN: To my knowledge, I don't recall. I'm thinking, I know I've had a couple of interactions with him. He's not in my portfolio. Our interactions were because of the fact that he took an active role in Ukraine. So, I mean, I think we were pretty clear in the Ward Room with our position.

I don't know -- and I guess it wouldn't necessarily have been my place at that point to circle back with him because there are senior people that typically interact with him that could circle back. I just wanted to make sure that, you know, he understood, I guess, my concerns.

BY MR. CASTOR:

Q But did any of your superiors make a point to communicate with Sondland that there's a disconnect here, and what Sondland said was not something that the NSC officials condoned?

A So I recall probably -- I mean, I certainly recall it. I can't pin it down exactly the timeframe, but we did talk about

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Ambassador Sondland and his, you know, while good-intentioned propensity to, you know, do things that were not typical, conduct, you know, a normal coordination and his willingness to just go directly over the NSC folks.

Because the Ambassadors typically do one of two things: Our U.S. Ambassadors in a foreign country do one of two -- typically they'll either work through the director responsible for their country or they'll work with the senior director, which in certain ways is the more appropriate level of interaction.

That did not -- while that might be the case in normal business throughout the rest of the Europe portfolio, that was not necessarily the case for Ambassador Sondland who more often than not would go over the directorate and either reach directly to Ambassador Bolton or go to the chief of staff's office. He had a pipeline.

Q I'm just wondering whether there was a plan that Dr. Hill would communicate with Sondland or whether Ambassador Bolton would or --

A I'm not aware of such a plan.

Q Like did NSC have a plan to change the course here with Sondland?

A I don't --

[Discussion off of the record.]

LT. COL. VINDMAN: Yeah. To my knowledge, I don't think so. I don't think, frankly, the thinking was that there was a way to -- because of his access, which is not a bad thing, an Ambassador

that has access has a lot more credibility with the host nation and is able to carry the President's message more effectively, so that's not a criticism.

But because of his access and, you know, his desire to leverage that access that, you know, it was necessarily reasonable to try to -- certainly at our level.

I am aware that over the course of Ms. Hill's tenure, Dr. Hill's tenure, she had attempted to talk to Ambassador Sondland and, you know, kind of bring him into the process on a more habitual basis. And my impression is that she was frustrated with her lack of success in that regard.

Q So at this point, NSC officials, yourself, Dr. Hill, Ambassador Bolton are just noting their concern for the record?

A That's right.

Q Okay.

A I mean, I don't know if there was any forethought on doing it for the record, like a cover your, you know --

Q Well, I wasn't suggesting that. I was just -- you're just noting your concern?

A Right.

Q Okay. Anybody else you talked to about this event other than your brother, Dr. Hill?

A So in the normal course of my duties, I would, for all the countries in my portfolio, I'd make it a habit to read out appropriate material to the embassy teams.

Q Okay?

A So, frankly, I know that at that time we were having regular conversations with the Ambassador, Ambassador Taylor. He's the Charge d'affaires, but title-wise he's Ambassador. We were having quite regular conversations with Ambassador Taylor, you know, if not multiple times a week, certainly on a weekly basis to catch him up on what's going on because of the various issues that were relevant.

Q If I may, who did you speak to about Sondland's comments that made you feel uncomfortable? The Sondland comments that made you feel uncomfortable, who did you speak to?

A Who else did I speak to? I don't recall a specific conversation. Frankly, I'm not one to, you know -- if it's in the course -- I go into work. I sit behind my desk. I do my job. I don't socialize. You know, that's -- I focus on what I need to do. So in terms of like, you know, going over and talking to people, hey, you should hear what happened at this meeting, that's not something I do.

So I don't specifically recall, you know, having conversations, but it's quite possible that in the course of my normal coordination, the people I speak to on a normal basis to read out key meetings would be George Kent, the DAS for State, you know, the appropriate representatives within the Intel Community.

Q Who is that?

A There are a number of folks that I communicate on a regular basis.

Q Who?

A You know --

MR. VOLKOV: Wait. Well, there's a concern that I have. I don't want him to go into specific individuals in the Intelligence Community.

MR. CONNOLLY: Would you use the microphone, please?

MR. VOLKOV: Oh, I'm sorry. I apologize again.

My concern, Mr. Chairman and Mr. Ranking Member, I do not want him to get into specific names of people in the Intelligence Community. I know there's been a lot of controversy about who the whistleblower is or et cetera, but I think, as he said in his statement, he is not comfortable speculating as to it, guessing to it. We're not going to -- I'm not going to allow him to go down a list of names or anything like that. So --

MR. CASTOR: I'm not asking a list of names. I'm asking what about who he had communications with about the 7/10 meeting?

THE CHAIRMAN: Excuse me. Excuse me. Let me just state this for the record. The whistleblower has a statutory right to anonymity. There are concerns about -- and I'm --

MR. MEADOWS: Mr. Chairman, point of order.

MR. SWALWELL: Hey, Mr. Meadows, he's the chairman. He finishes.

THE CHAIRMAN: Mr. Meadows, when I'm finished --

MR. MEADOWS: I have a point of order.

THE CHAIRMAN: Mr. Meadows, you may make your --

MR. SWALWELL: He's the chairman. He finishes.

MR. MEADOWS: Shut up.

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THE CHAIRMAN: Hey, Mr. Meadows, you --

MR. MEADOWS: I have a point of order. Mr. Chairman, I have a point of order.

THE CHAIRMAN: Mr. Meadows, you'll be recognized after I finish what I have to say.

I am concerned about a bad-faith effort -- I'm not accusing anyone in this room. I am concerned about a bad-faith effort to out a whistleblower who has a statutory right to remain anonymous. And I would urge you or I would certainly accept your desire not to be a party to the outing of the whistleblower.

And so you have every right to refuse to answer a question that would identify an Intelligence Community employee, detailee, or contractor. We will not be a party to the attacks on the whistleblower. We will not put this whistleblower's life at risk or anymore risk than it already is.

If you have a parliamentary inquiry, Mr. Meadows?

MR. MEADOWS: I appreciate the chairman. The statute, the whistleblower statute --

MR. GOLDMAN: Sorry. Can you speak into a microphone, Mr. Meadows? Sorry.

MR. MEADOWS: You couldn't hear me?

MR. GOLDMAN: I can always hear you, but --

MR. MEADOWS: I would refer the chairman to the statute. The chairman's issue of a condition of anonymity is not accurate, and I would point that out having been involved with literally hundreds of

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whistleblowers.

The statute does allow for the lack of retaliation, and I would clarify that. But to make that statement, I would ask that the chairman, for the record, clarify his remarks.

THE CHAIRMAN: If the parliamentary inquiry is an objection, the objection is overruled.

The witness may --

MR. MEADOWS: I appeal the ruling of the chair.

THE CHAIRMAN: The witness may refrain --

MR. MEADOWS: I appeal the ruling of the chair.

THE CHAIRMAN: The witness may refrain from identifying any employee, detailee, or contractor of the Intelligence Community.

MR. JORDAN: Mr. Chairman, just a second? Mr. Chairman? Our counsel was not asking about the whistleblower. He wasn't even asking about the call, the July 25 call. He was simply asking the witness who he talked to subsequent to the July 10 meeting.

THE CHAIRMAN: Mr. Jordan, I made my ruling. You may continue with your argument, but it will take up a portion of your questioning time. The clock continues to run.

MR. JORDAN: Well, we would like the time restored that you took up from our time. What we've said will count against our time; we understand it. But the time you took from us, we would like to restore it. He is simply asking about the July 10 meeting, nothing about the call.

THE CHAIRMAN: I'm happy to restore the time that I spoke, but

any further time will be deducted from questioning.

BY MR. CASTOR:

Q I think we're jumping ahead here. I'm simply asking whether you related the Sondland comments from the July 10 meeting with any other individual?

A I don't recall specifically. I was just merely outlining the counterparts that I talked to about key meetings on a habitual basis. I don't recall --

Q Did you read out Kent?

A Quite possibly, yes.

Q Okay. And then who else did you read out or may have read out?

MR. VOLKOV: I'm going to object. It's not may. Does he recall who he read out to? I'm sorry.

Does he recall who he read out to? Let's ask precise questions. And I don't want to have speculative questions of who he might have talked to or whatnot. The question has to be, who did you recall talking to? It's either a yes -- you know, you have somebody or you don't. Okay?

LT. COL. VINDMAN: I don't recall specifically who I read out on this particular meeting.

BY MR. CASTOR:

Q In the ordinary course of business, who would you ordinarily read out with significant events?

A Sure. Principally, it would be the State Department. It

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would be the -- on a regular basis, it would also be the Embassy in Kyiv, or I would ask the State Department to circle back with them and just make sure that they were informed on the conversation because everybody is busy. If it was a defense-related matter, it would be representatives from the Defense Department, Intelligence Community, and frankly, that's about it.

Q Okay. Now, the Intelligence Community, is that somebody [REDACTED] [REDACTED]?

THE CHAIRMAN: Counsel, we've gone through this.

MR. JORDAN: Mr. Chairman, his lawyer can serve as his lawyer. You can just serve as the chairman. We can ask the questions we want to ask.

THE CHAIRMAN: Mr. Jordan, we have an obligation to protect whistleblowers.

MR. CASTOR: Is the whistleblower [REDACTED]?

THE CHAIRMAN: We have an obligation -- well, we're not going to have him go through every agency, counsel. That would be bad faith. And so that's not going to be permitted. You may continue with the advisory that pursuant to the instructions of the witness' counsel, he will not go into questions about Intelligence Community employees, detailees, or contractors.

BY MR. CASTOR:

Q Anybody else you would ordinarily read out?

A I covered it. I think those are the principle folks that I talked to.

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Q Okay. And you don't remember reading any of those out?

A I don't specifically recall reading out this particular meeting.

Q Okay. Did the events of the 7/10 meeting subsequently ever come up again with Dr. Hill, with Ambassador Sondland, anybody else?

A So I could tell you that I'm -- I've kept myself apprised of what's going on here, and I do recall seeing something about Ambassador Taylor referencing this particular matter at some point, this particular call, the 7/10 call.

Q But you didn't have a discussion with the Ambassador?

A I don't recall. I don't recall having that conversation, frankly. I do recall having a conversation with Ambassador Hill -- I mean, sorry, Dr. Hill and the Ambassador. But, I guess, I don't recall specifically reading out this particular call.

Q Okay. When --

MR. VOLKOV: When you say call, you mean meeting?

LT. COL. VINDMAN: Yes. Yes.

BY MR. CASTOR:

Q When Dr. Hill left, replaced by Tim Morrison, did you ever have any communications with Morrison about the 7/10 meeting?

A I do not believe so.

Q Okay. Did you ever have any calls with Morrison and somebody else about the 7/10 meeting that you can recall?

A I've had numerous calls with my boss, Tim Morrison, and counterparts, but not specifically discussing that 7/10 meeting.

Q Okay. So you don't remember doing a call with Tim Morrison and the Ambassador, Ambassador Taylor?

A I've done multiple calls with the --

Q About the 7/10 call?

A Not about the 7/10.

Q Okay. Turning the attention back to the 7/25 call record, I believe there's a question of where the President was during the call. And I think on the record it indicates he was in the residence?

A Okay.

Q Is that your understanding?

A At the time, I wasn't aware of that, but that's what's in the record.

Q Okay. And you gave us a roster of folks that was in the situation room?

A Yes. I think that we covered that, but I could -- I'm happy to go through it again.

Q I'm not asking you to.

A Okay. It's in the record, I believe, sir.

Q Yeah. I'm not asking you to go through the list again. Were the stenographers or the officials that make the record of the call in the Situation Room too?

A The kind of the logistics behind this is not something that I guess I've really looked into. My understanding is that somewhere in the White House Situation Room somebody is, you know, taking notes or whatever the modality is to capture the call.

Q Okay. But in this Situation Room at the time of the call, did you like identify every person in the room?

A No.

Q Okay. Like how many other people were in the room?

A To the best of my recollection, there were, I think, five of us.

Q Okay. So it sounds like you did identify everyone in the room?

A Well, I mean, I relayed the people -- inside the room that I was physically in --

Q Yes.

A -- I think I covered the people that were in there, yes, and that's in the record.

Q And from the U.S. side of the call, do you know what other points of access there may have been for the call?

A I did not. I do not. I actually still don't know, frankly, everybody that was party to it. I just was aware of who was in the Situation Room with me.

Q Okay. And so the officials that capture the record, they don't use a court reporting device, do they?

A I don't know. I have no idea.

Q Okay. Do they use one of the devices that they speak into as the call's appearing?

A Don't know.

Q Okay. But these officials are in the room?

A No, they're not.

Q Okay. And where are they listening from? Do you know?

A The White House Situation Room, you know, office space.

Q Okay. So it's an adjacent room?

A I don't know, to tell you the truth. Somewhere in that space probably.

Q Okay. How many of these types of calls have you participated in?

A I've probably participated in three or four, I'd say.

Q Okay. And so when you were walking us through the process of how the transcript gets compiled, that's based on three or four calls?

A That's based on my knowledge of, I guess, things that I have learned since the call about the process, because there's been a significant amount of discussion on the process. It's a small -- my bureau or directorate is relatively small, so I've also -- you know, I'm well abreast of how the process works, because over the course of my tenure there there have been dozens of calls. So I understand how that process works. From there, I think it's multiple different inputs to understand how the call process works.

[11:49 a.m.]

BY MR. CASTOR:

Q Okay. But you've been a part of four of them where you might be called upon to suggest edits?

A Yeah, three or four.

Q Okay. And you walked us through the editing process?

A Uh-huh.

Q Ordinarily you indicated that you go on online or, you know, onto the server to get the document and put suggested edits in electronically?

A Uh-huh.

Q But in this instance you couldn't do that?

A Yes. Yes, counsel.

Q But in this particular instance you couldn't do that?

A So this would have been the first time I was in -- I was participating in a TELCON review, a telephone conference review, where it was outside of the kind of the -- what I understood to be the normal format.

Q Okay. How many TELCON reviews have you been a part of?

A At least the three or four that I had been involved in, yes.

Q And so how did this process diverge from the other two or three?

A Just in the fact that there's a standard system in which the Presidential -- the President's correspondence, whether that's meeting or telephone, gets entered into the standard system and then

it goes through a review process within the NSC.

Q Uh-huh.

A I apologize. Did I answer?

Q And you mentioned your two edits weren't reflected in the ultimate product?

A Yeah.

Q Who would have decided not to incorporate your edits?

A I'm not sure if it was, you know, if there was any forethought necessarily in including them or not including them. I think it could have simply been, in this case, there was a paper version of it that was -- maybe even multiple paper versions of it, not in the digital system.

In the digital system I would go in, I would make the edits, I would do it in a kind of a track change format and then somebody else would choose to accept them or not accept them. And this one I just wrote it on paper referencing my notes to the transcript, made those edits, and then handed it back to -- you know -- I recall handing it to my leadership, Tim Morrison, to take a look at, and I think after that I took it over to the executive secretary for them to do. But there could have been other copies that were also being reviewed, I don't know.

Again, I apologize, I don't think anybody intentionally necessarily did something by not putting them in there, but they just didn't make the final version.

Q Okay. So you have no concerns that these two edits weren't

incorporated?

A No, not really. No.

Q Okay. And if the word Burisma had been inserted instead of the word company, would that have changed anything in your view?

A Yes.

Q Okay. So that would be significant?

A It would be significant.

Q Okay. And why?

A Because -- because, frankly, the President of Ukraine would not necessarily know anything about this company Burisma. I mean, he would certainly understand some of this -- some of these elements because the story had been developing for some time, but the fact that he mentioned specifically Burisma seemed to suggest to me that he was prepped for this call.

Q Okay.

MS. STEFANIK: I just want to drill down on the -- on your knowledge of the typical call. So you said three and four. There are two calls here, what were the third and fourth?

MR. VOLKOV: First off, I don't know who you are, if you could identify yourself for the record. But second off, could you be specific as to two calls? We're talking about one call here.

MR. CASTOR: This is Representative Stefanik.

MS. STEFANIK: I'm on the House Intelligence Committee.

MR. VOLKOV: Okay. I don't know who you were. I apologize --

MS. STEFANIK: Yeah. I'm from New York. I'm a third term

member.

MR. CASTOR: There's no staffers talking except for me and the Members.

MR. VOLKOV: I understand that and I appreciate that, I just didn't --

MS. STEFANIK: I get asked this a lot.

MR. VOLKOV: Oh, that's good.

MS. STEFANIK: No, it's not good. But I will continue my line of questioning, which is, the witness testified --

MR. VOLKOV: When you said two telephone conversations --

MS. STEFANIK: Right.

MR. VOLKOV: We're talking about one.

MS. STEFANIK: Let me start from the beginning.

MR. VOLKOV: Okay.

MS. STEFANIK: The witness just testified that he had experience with three or four calls of this nature. So Heads of State calls. There are two here, April 21st and the July 25th call. I'm asking --

MR. VOLKOV: When you say here, what are you referring to? You're referring to a document. This is one conversation. We're not talking about two calls.

MR. JORDAN: She's talking about his opening statement. The April 21st call between President Trump and President Zelensky, the July 25th call between President Trump and President Zelensky. The witness has said there are one or two others. She wants to know what those one or two others are.

MR. VOLKOV: Okay. Thank you. That makes it clear.

LT. COL. VINDMAN: So for my portfolio I cover other countries. And for Presidential phone calls, I've sat in on other conversations with other State leaders, Heads of State.

MS. STEFANIK: Sure. And those additional two calls, were they prior to the April 21st call?

LT. COL. VINDMAN: Yes.

MS. STEFANIK: Okay. And just to clarify on the editing. The first opportunity you had to edit, this was your testimony, was on either the April 21st or the July 25th call?

LT. COL. VINDMAN: You know, the April 21st call is notable in my mind because it was actually a very good call. It was exactly what we had -- we were hoping for. So I don't, frankly -- I'm sure I had to -- actually, now that I think about it, I do recall reviewing that transcript, but there was nothing normal, it was just -- everybody was happy, high-fiving from that call because we were moving in the right direction for Ukraine. I did review the transcript for that one.

MS. STEFANIK: And no edits on that one. That was your first opportunity to edit?

LT. COL. VINDMAN: I don't recall if I put any edits in there. There could have been -- sorry, I'm a heritage speaker and a linguist in Russian and Ukrainian, and Mr. Zelensky, the President of Ukraine, he carried on his conversation in Ukrainian. He attempted to use Russian -- I mean, I'm sorry, English in the first one. He did a pretty good job for somebody that didn't speak the language. So I think I

probably made some notations in the record to make sure, you know, that whatever he was saying was accurately translated, it was in the actual historical record.

MS. STEFANIK: Okay. Yield back.

MR. JORDAN: Can I just -- I still don't think you answered her first question -- Ms. Stefanik's first question. Who were the other one or two calls that you were on?

LT. COL. VINDMAN: I mean, so it was with -- it was with the President of Russia.

BY MR. CASTOR:

Q So when you're listening to the call, you --

A I'm sorry. Correction. So there was -- these calls the way they're organized, they also include sometimes -- it also includes Ambassador Bolton having similar conversations. So I think when I said three or four, I think at least one of those I recall now, you know, we can say -- it was between the National Security advisors also. So that would be -- it would kind of follow a roughly similar pattern where you'd also take a look at the call and make sure it's accurate.

Q So we've got two calls between the President Trump and President Zelensky, right?

A Uh-huh.

Q And then a third call you just said --

A Yes.

Q Then a third call that you've been involved with where you listened on the call and then you had an opportunity to supply edits --

A Uh-huh.

Q -- was a call that Ambassador Bolton was on?

A That's the one that I specifically recall, yes.

Q With one of his counterparts with Russia?

A With his Russian counterpart, yes.

Q Okay. And can you remember a fourth call --

A Um --

Q -- that you listened in on, that you had an opportunity to supply edits?

A Over the course of the year -- frankly, I don't recall specifically.

Q Okay. Fair enough. When you are in the Situation Room on July 25th listening to this call, at what point during the call did you first experience concern?

A Actually, pretty early on in the call. You know, I guess the first thing I'd note is that the tone between the April 21st call and the July 25th call was very different. And besides, you know, the first couple of paragraphs that talk about, congratulations and exchange of pleasantries, it goes very quickly into the President saying that the U.S. has done -- which is accurate, the U.S. has done a lot for Ukraine -- the Europeans haven't done more. I started to get, I guess -- this was not in the preparation material that I had offered.

So, you know, I guess once we strayed from that material, not that the President is in any way obligated to follow that, he's the President

of the United States, he can sets the policy, but I kind of saw increasing risk as we moved on.

Q But when did you become concerned about something you heard on the call, not something that, you know, the talking points were being diverged from?

A Quite early on I guess. Let me review the transcript quickly and I can tell you. Okay. In the middle paragraph of page 2, the last sentence: I wouldn't say that it's reciprocal necessarily because things are happening that are not good, but the United States has been very, very good to Ukraine.

Q Okay. And what concerned you about that?

A This was straying into the territory of -- this narrative -- this unproductive narrative that was emerging from what I referred to in my statement as influencers, external and nongovernmental influencers.

Q Okay. And anybody else in the room at that point have concern that you know of?

A It would be speculation I guess on my part.

Q Did you exchange glances or pass a note?

A I'd say at some point, you know, I thought that maybe Mr. Morrison also was becoming concerned.

Q Okay.

A But at that time he only joined the team a week ago, so, you know, I'm not sure.

Q Okay. At any point during the call did you detect that other

persons in the room were concerned or shared your concern?

A Certainly at the end of the call when we were doing -- when we were doing the review of the press statement that's going to be released, we had one that was based on kind of the national security content, it went through all the things we were hoping to discuss, and basically we struck almost all the materials from that statement because we hadn't covered any of the terrain that we thought we were going to.

Q But during the course of the call did you exchange a glance or pass a note to anybody in the room expressing concern?

A I certainly didn't pass a note. I'm also diligently trying to take notes on this call.

Q Okay.

A And it's not moving slowly, so I'm focused on doing that.

Q Fair enough. Did you detect anyone -- did anyone have any non-verbal reactions, any grimaces, or facial expressions that would indicate to you somebody else in the room was concerned during the call?

A The only person that I, you know, occasionally would take a glance at would be my boss.

Q Okay.

A And I perceived, at least, that he was also potentially concerned.

Q And how did you perceive that he was concerned? Just by the look on his face?

A Yes.

Q But nothing from Kupperman, Kellogg, Williams, or [REDACTED]?

A I wasn't paying that close -- I just wasn't paying attention to what they were doing.

Q Fair enough.

A I was taking notes.

Q Okay. After the call, did you have any discussions with Mr. Morrison about your concerns?

A After the call I -- per the exercise in the chain of command and expressing concerns, I immediately went to the senior NSC legal counsel and shared those concerns.

Q Okay. Back to John Eisenberg?

A Yes.

Q Okay. Who was in that meeting?

A It was my twin brother and I and then --

Q How did your twin brother get there?

A Because I also pulled him in.

Q Okay. You picked him up on the way to Eisenberg?

A It's roughly adjacent offices. A couple offices in between.

Q Okay. So you have a meeting with your brother, Mr. Eisenberg. Anybody else in that meeting?

A At some point Michael Ellis, the deputy, John Eisenberg's deputy joined.

Q Okay. You didn't have any discussions with Morrison prior to engaging Eisenberg's team?

A I didn't.

Q Okay. The call ended, I think, at 9:30 in the morning, 9:33?

A Uh-huh.

Q How soon did you make your way to Eisenberg's office?

A It was probably, you know, within, I would guess it was probably within an hour I was talking to Mr. Eisenberg.

Q Okay. And in between that time you hadn't shared your concerns with Morrison?

A I did not.

Q Okay. Eisenberg was the first person that you talked to after the call?

A Correct.

Q And what did you communicate to Ellis, Eisenberg, and your brother?

A I recounted, and I had my notes, I went through my notes and recounted the call, which is in front of you.

Q Okay. Now, did you -- were you concerned at this point that something improper had occurred on the call?

A Yes.

Q Okay. Did you think anything illegal had occurred on the call?

A I wasn't prepared to necessarily make that kind of judgment. I thought it was troubling and disturbing, but, you know, I guess, I guess I couldn't say whether it was illegal. I'm not an attorney.

Q Okay. So something more than inartful. You thought it was wrong?

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A I thought it was wrong, yes.

Q What exactly did you communicate to Eisenberg that you thought was wrong about the call?

A I mean, I went through the content of the -- through my notes without having the full transcript, I went through the transcript.

Q Right.

A And, you know, the parts that were particularly troubling was the references to conducting an investigation. The references to having Zelensky speak to Mr. Giuliani and the Attorney General to, again, conduct an investigation that didn't exist.

Q Okay. You know, are you sure at this point in time that the President was asking Ukraine to investigate Americans?

A Well, I mean, he talked about the Bidens.

Q Is it possible that he meant investigate Ukrainian's influence on the Bidens. So misdeeds by the Ukrainians?

A I mean, that seemed -- I mean, he's my Commander in Chief, I'm not trying to, you know, be overly critical of the President. What I was trying to do, in speaking to Mr. Eisenberg, was express my concerns about something that I viewed to be problematic, and also within the context of already relating to him concerns about a July 10th call --

I mean, yeah, July 10th meeting, as well as everything that I understood about this narrative and how it had been developing, and the cost that it had potentially imposed on, you know, Ambassador Yovanovitch, and things of that nature.

It wasn't difficult for me to kind of understand what had been

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going -- and I also noted that President Zelensky mentioned the company Burisma. So that, again, solidified in my mind that this was -- there was not really a lot of ambiguity, sir.

Q Okay. But if there were ambiguities, it was filled in in your mind by your experience with Sondland in and the 7/10 meeting and so forth?

A That, all of the content around the past several months, yes.

Q Okay. I'm running out of time here so I want to make sure Mr. McCaul is recognized.

MR. MCCAUL: Thank you. Colonel, thanks for -- I just had a couple quick questions. Ukraine has, and you know the country well, has a long history of corruption. Is that correct?

LT. COL. VINDMAN: Correct, Congressman.

MR. MCCAUL: And Poroshenko basically lost on corruption?

LT. COL. VINDMAN: He did, yes.

MR. MCCAUL: And that's why Zelensky came in as the anticorruption fighter?

LT. COL. VINDMAN: I think that is a correct assessment.

MR. MCCAUL: So going to the July 25th phone call, the Congress passed under the Ukraine Security Assistance Initiative a legal obligation to certify the that corruption is being decreased?

LT. COL. VINDMAN: Correct.

MR. MCCAUL: So this is on the mind of, I guess, everybody at the NSC and certainly the White House and the President, and it's also required under the National Defense Authorization Bill that Congress

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passes to ensure, before we give foreign assistance, security assistance to a country, that we're not giving it to a corrupt nation. Correct?

LT. COL. VINDMAN: Correct.

MR. MCCAUL: So if the President brings up, hey, can you look into these corruption matters, and specifically a DOJ investigation conducted by the Attorney General into the 2016 election, wouldn't that be consistent with this corruption issue?

LT. COL. VINDMAN: Congressman, I would say that your characterization of the state of corruption in the -- the endemic corruption that had been going on for several months -- or for decades actually, is accurate.

I would say that the consensus view of the interagency, and I guess myself as the point man for coordinating the interagency, is that under Zelensky they were moving in the right direction. And the reports that we were providing were all about the Ukrainian Government, under Zelensky, moving in the right direction and making the proper steps.

You referred to USAI, Ukraine Security Assistance Initiative funding. The Department of Defense has to certify in order to release those funds, and they had consistently provided the certification to release those funds. You know, I'm not by any means trying to mischaracterize the fact that, you know, Ukraine was, you know, a utopia by -- there's still a lot of work to do.

What I'm suggesting is that everything had been moving in the right direction. Coming back from the Presidential delegation, the

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read-out that my colleagues provided, my seniors provided, was positive. And I guess --

MR. MCCAUL: And I guess if the President brings up corruption in his phone call, which I think he's -- and certainly as the Commander in Chief should do, and when Congress has these requirements. I don't -- I guess I'm not quite understanding why that's inappropriate?

LT. COL. VINDMAN: I think it's the -- what I had, I guess, difficulty with is the fact that he was calling for an investigation, not the continuation of an investigation, but starting a new investigation because there was not an active one.

MR. MCCAUL: Well, there's an active DOJ investigation. And do you know with respect to Burisma with respect --

LT. COL. VINDMAN: Congressman, I apologize. I just wanted to finish that thought. I apologize.

MR. MCCAUL: Okay.

LT. COL. VINDMAN: And the fact that this was an investigation into a U.S. citizen by a foreign power, as I said in my statement.

MR. MCCAUL: Right. But with respect to Burisma, you said it was not being actively pursued. Do you know if it had been actually closed?

LT. COL. VINDMAN: To the best of my recollection there was no active investigation, and my understanding is that it was closed.

MR. MCCAUL: But you're not certain if it had been dismissed?

LT. COL. VINDMAN: Dismissed is maybe a different, you know, I guess a different characterization. There was no active investigation that I was aware of.

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MR. MCCAUL: Well, yeah, it could be on hold but not dismissed. But having said that, I don't think -- and I'll close with the President bringing up corruption issues in a historically corrupt country, where Congress has required anticorruption efforts. I don't understand why that's entirely inappropriate, and I yield back.

MR. JORDAN: Colonel, your direct report is Mr. Morrison?

LT. COL. VINDMAN: Correct.

MR. JORDAN: And after the July 25th call did you talk to him?

LT. COL. VINDMAN: I did not.

MR. JORDAN: You did not talk?

LT. COL. VINDMAN: No.

MR. JORDAN: Why did you not go to your direct report and go straight to the counsel?

LT. COL. VINDMAN: Because Mr. Eisenberg had told me to take my concerns to him.

MR. JORDAN: Mr. Eisenberg had told you --

LT. COL. VINDMAN: Yes, if I have concerns of this nature, I should feel free to come to him.

MR. JORDAN: When did he say that?

LT. COL. VINDMAN: During the -- following the July 10th conversation, I think I said that in the record also, that he said, you know, if you have any concerns, please come back to me. So I was exercising, and he's the senior legal official, I wanted to, I guess, talk the matter through with him and see if there was something --

MR. JORDAN: Did Mr. Eisenberg tell you not to report -- go around

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your direct report and go straight to him?

LT. COL. VINDMAN: Actually, he did, at a later point, say that, I shouldn't talk to any other people.

MR. JORDAN: Okay. Who else did you talk to following the July 25th call?

LT. COL. VINDMAN: I talked to -- again, Congressman, my role is to coordinate U.S. Government policy, so I reached out to a [REDACTED] group of counterparts and informed them of a call. And, frankly, the reasoning behind it, I don't think I could talk about in this context.

MR. JORDAN: I'm not asking you the reason behind it, I asked you who?

LT. COL. VINDMAN: I talked --

MR. SWALWELL: Mr. Chairman I want to object that the question calls to reveal the whistleblower, and if there's no other --

MR. JORDAN: I'm not asking about that, I'm just asking who this gentlemen shared this information with.

THE CHAIRMAN: The gentleman is -- other members are --

MR. JORDAN: We have two counsel sitting right beside him. I'm asking who he shared the call with. We know he didn't share it with his direct report.

THE CHAIRMAN: Mr. Jordan, the minority may not care about protecting the whistleblower, but we in the majority do.

MR. JORDAN: We fully care about protecting the whistleblower.

THE CHAIRMAN: You know, we in the majority do. But I know the President --

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MR. JORDAN: In fact, you're the only one who knows who these people are who started this whole thing.

THE CHAIRMAN: You keep making that false statement, Mr. Jordan --

MR. JORDAN: It isn't false.

THE CHAIRMAN: It doesn't make it anymore true the tenth time you said it than the first time, it just means you're more willful about the false statement?

MR. JORDAN: It's true. No, no, no, it just means the whistleblower talked to your staff, not our staff.

THE CHAIRMAN: Mr. Jordan, your side of the aisle may not care to protect the whistleblower, but ours does.

MR. JORDAN: I do care to protect the whistleblower.

THE CHAIRMAN: So the witness understands the --

MR. JORDAN: But I also care that you keep interrupting us and we have questions. He has counsel who can tell him he's not to answer that.

THE CHAIRMAN: Mr. Jordan your time has expired.

MR. JORDAN: No, it's not, we have extra minutes.

MR. VOLKOV: If I could just say, we would be happy to say where the person was associated with, the agency or whatever, we just don't feel comfortable providing the name. I don't think there's anything wrong with us saying, I talked to this person from State, and we'll disclose that name, and I talked to somebody else.

MR. JORDAN: Yeah. The bottom line is when you're under subpoena

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you have to answer the question. And the question is, who did Mr. Colonel Vindman talk to after the July 25th call?

MR. VOLKOV: And I'm instructing him and I'm allowing him to say

██████████ --

MR. JORDAN: Why are you instructing him that way, counsel?

MR. VOLKOV: Because --

MR. JORDAN: I don't care what you say Mr. --

THE CHAIRMAN: Excuse me, Mr. Jordan, you're not recognized.

MR. JORDAN: It's our time.

THE CHAIRMAN: You are not recognized, and your time has expired.

MR. JORDAN: You told us you were going to give us extra time, what you took from us.

THE CHAIRMAN: And you've used it. And you've used it.

MR. JORDAN: There's a question on the table, Mr. Chairman.

THE CHAIRMAN: It is the ruling of the chair that the witness shall not identify employees, detailees, or contractors of the intelligence agency, or provide information that may lead to the revelation of the identity of the whistleblower, someone whose life has been put at risk. The majority cares about this, and we are determined to protect the right of that whistleblower to remain anonymous. And we will not allow bad faith efforts to out this whistleblower.

We will now be at lunch for 30 minutes.

MR. JORDAN: Mr. Chairman.

THE CHAIRMAN: We're adjourned for 30 minutes.

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[Recess.]

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[1:00 p.m.]

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

Colonel, I want to ask you a couple of questions before I hand it over to Mr. Noble. First of all, I just want to get some clarity. You were asked about some of the calls that you have sat in on or listened to, and I was a little unclear whether you described listening into a call between President Trump and President Putin, or was it between Advisor Bolton and his Russian counterpart?

LT. COL. VINDMAN: So, Chairman, the call that immediately came to mind when we expanded past the Ukraine content referred to in my statement was to a conversation, again, I, frankly -- this is -- I don't think this is in the public record, but a phone call between Ambassador Bolton and his counterpart in Russia. But, in fact, as I thought about it, there have been other transcripts that I've had in my capacity as director for Ukraine, Moldova, Belarus, and Russia, I have looked at other transcripts to kind of familiarize myself with the conversation. It was less in the review context, but in the fact that it's in my portfolio, somebody else attended, I still had a need-to-know, so I had a chance to take a look at it.

So I specifically could say there are three that I had an active part or a key part in reviewing, but there have been more that I have also looked at, you know, from a substantive standpoint.

THE CHAIRMAN: Just for clarity, though, you did not sit in on a call between President Trump and President Putin, then; it was between National Security Advisor Bolton and his Russian counterpart?

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LT. COL. VINDMAN: Yes.

THE CHAIRMAN: Okay. Thank you. You described in your testimony, in response to the minority questions, when you began, as you were listening to the call on July 25th between the two Presidents, to be concerned when President Trump started to bring up the subject of reciprocity because it was at that point in the call that the President began deviating from what you and others had prepared him for on the call. Is that right?

LT. COL. VINDMAN: Yes. But I guess the fact that he was deviating from what was prepared wasn't in itself the concern. He's the President. It's his prerogative to handle the call whichever way he wants. It's when he started -- was heading in a direction of content, and, Chairman, as I pointed out, quite quickly, we're talking about a really -- yeah, I'm just seeing how many exchanges there were. You know, by the second exchange or so, he was already saying that Ukraine hadn't been very good to the United States. So that, you know, I knew -- that and the atmospherics, the tone, indicated that this was not going to be as positive a call as the April 21st call.

THE CHAIRMAN: And then you became more concerned as the call went along and it got into a discussion in which the President was asking his Ukrainian counterpart to conduct these investigations?

LT. COL. VINDMAN: That is correct, Chairman.

THE CHAIRMAN: I want to ask you, though, in light of that, what had been prepared for the President to discuss? What was the plan going into that call that ended up going by the wayside?

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LT. COL. VINDMAN: So it was a congratulatory call. Some of that subject matter very quickly in the first exchange did occur. But unlike the first call in which it went on for almost the entire duration, congratulatory, there were other things that we wanted to -- and, frankly, I think this is still classified, my talking points, background material is still classified, so I could only talk about it very broadly.

THE CHAIRMAN: If you could talk about it in broad unclassified form; otherwise, we will move on to a different topic. But can you give us a very general idea?

LT. COL. VINDMAN: So, in fact, the kind of things that have repeatedly come up would be consistent with the kinds of talking points that would be -- that we had prepared for him, and that would be, you know, making sure that the Ukrainians deliver on reforms, making sure that they deliver on the anticorruption agenda was still a priority because, yes, Zelensky at that point was already starting to implement his agenda, but there were and there still are concerns that haven't been addressed. So those types of, you know, harder points that we would want him to, you know, reinforce with his counterpart, Mr. Chairman.

And we also certainly identified that the Ukrainian -- and this is because -- this has been discussed multiple times, that the Ukrainians were looking for a Presidential bilateral meeting at the White House. So we covered those types of things.

THE CHAIRMAN: Well, a couple things about that. My colleagues

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in the minority asked you, well, what's wrong with the President asking about corruption? And people can correct me if I'm wrong, but I don't believe the President actually ever uses the word "corruption" in this call. He refers to the Bidens. He refers to 2016 and Crowd Strike. He never actually asks the Ukrainians to investigate corruption itself. Is that your understanding of the call?

LT. COL. VINDMAN: I would have to -- if you wish, I could more thoroughly study the transcript, but the transcript is accurate. And I think what you're pointing out, Mr. Chairman, is accurate.

THE CHAIRMAN: And you can distinguish, can't you, between urging a foreign government to attack problems of corruption, on the one hand, a very legitimate U.S. policy interest, and asking a foreign President to investigate a political rival, a very illegitimate ask? You can distinguish between those two things, can't you?

LT. COL. VINDMAN: Mr. Chairman, without, I guess, characterizing legitimate or illegitimate, I could certainly distinguish between the two, yes.

THE CHAIRMAN: And I think you said that you found the President's raising an investigation of a U.S. citizen when there was no ongoing investigation, you found it troubled you. You couldn't say, because you're not a lawyer, whether it's a crime, but you found that problematic. Is that right?

LT. COL. VINDMAN: That is correct.

THE CHAIRMAN: Okay. At this point, let me yield to Mr. Noble.

BY MR. NOBLE:

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Q Colonel Vindman, I want to ask you a few more questions about a call. If you could turn to page 4 of the transcript, one other matter that President Trump brings up with President Zelensky is Ambassador Yovanovitch, correct?

A Yes.

Q And you see at the top of page 4 in that first paragraph, that President Trump says: 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 he goes on to reference the Bidens. And then, later in the call, in the third paragraph on that page, President Trump says: Well, she's -- referring to Ambassador Yovanovitch -- going to go through some things.

Did those comments about Ambassador Yovanovitch by the President of the United States strike you during the call?

A Yes, they did.

Q Why?

A Because my professional interaction with Ambassador Yovanovitch -- and, frankly, all of my counterparts and colleagues in the national security apparatus -- have been positive. I have nothing negative to say about Ambassador Yovanovitch or, frankly, anybody else I've worked with. And, you know, I'm aware of the fact that she was removed, and I thought that was troubling.

Q And Ranking Member McCaul had asked you about or asserted that President Trump was generally concerned about corruption in

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Ukraine. Do you remember that line of questioning?

A Yes.

Q What's your opinion of Ambassador Yovanovitch's record on anticorruption reforms in Ukraine and pressing for those on behalf of the United States Government?

A So, as far as I know and in my direct experience, exemplary.

Q Did you have any reason to believe that Ambassador Yovanovitch -- or there was any basis for Ambassador Yovanovitch to be removed from Kyiv?

A As far as I know, there was not.

Q Were you aware of a dossier of materials, derogatory materials, that Rudy Giuliani had compiled and sent to the State Department in an envelope that was marked that it was from the White House?

A I'm not.

Q You weren't familiar with that. Are you familiar with that today?

A I'm not. I'm still not clear on what you're referring to.

Q Okay. Was there any discussion about the campaign to remove Ambassador Yovanovitch at the National Security Council?

THE CHAIRMAN: If I may, before you leave the call record completely, I did want to ask you about one other part of the call. And that is, at the bottom of page 2 of the call record, President Zelensky says: I would also like to thank you for your great support in the area of defense. We are ready to continue to cooperate for the

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next steps. Specifically, we're almost ready to buy more Javelins from the United States for defense purposes.

Can you tell us a little bit about why the Ukrainians are interested in Javelins, what they use them for, what their importance is?

LT. COL. VINDMAN: So, Mr. Chairman, the Ukrainians continue to engage in what they would call a war -- and I'm not sure if you could, you know, and in certain ways, you can't dispute that characterization -- with Russia, defending not just Ukrainian territory against Russian aggression but, in my view, defending Europe and, in certain ways, defending the United States.

As I said in my statement, Russia has been engaged in an ongoing aggressive campaign in which it seeks to carve out a regional hegemony and also assert great power status globally. And, in fact, absent an adequate challenge, Russia would continue to pursue this particular strategy. So what we -- in helping Ukraine, we are helping ourselves. In helping Ukraine with defensive munitions with Ukraine security assistance funding, with FMF and so forth that the Congress has identified, we're helping Ukraine but also helping ourselves.

The Javelin system in particular -- and I could speak on this; I was an infantry platoon leader, company commander -- is a very capable system. In the numbers that they have received the system, it is effective in terms of influencing the Russian decision calculus for aggression. The Ukrainians want to purchase significantly more systems so that they could increase the deterrence against further

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Russian aggression.

So this is a -- is it an absolute game-changer? Probably not. Frankly, they need air defense capabilities there's overmatch in air defense capabilities between the Russians and the Ukrainians. The Russians -- and I can talk about this because it's also, you know, there's plenty of nonclassified literature. Electronic warfare, there's a mismatch there. UAVs and, in general, ISR, they could use all of these systems.

THE CHAIRMAN: But what do they use the Javelins for?

LT. COL. VINDMAN: Javelins, in particular, would be used to -- we certainly call it defensive, but it would be used to defeat Russian or pro-Russian force attacks on Ukrainian territory.

THE CHAIRMAN: Because they're an antitank weapon?

LT. COL. VINDMAN: They're more than just an anti-tank system. They're anti-tank -- they could be used -- anti-armor, antitank, you could use antipersonnel to destroy bunkers. It has a capability to take down low-flying aircraft. There's a whole bunch of different ways. It's a significant system.

THE CHAIRMAN: And in terms of the defensive weapons that we have been willing to sell Ukraine, is it one of the most important to Ukraine?

LT. COL. VINDMAN: Yes, in terms of the lethal -- defensive lethal munitions the U.S. provides, it is certainly one of the most important ones, yes.

THE CHAIRMAN: And, you know, immediately after President Zelensky says, "We're almost ready to buy more Javelins from the United

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States for defense purposes," the President says, "I would like you to do us a favor, though." What was your reaction when you heard the President ask for a favor in the context of President Zelensky saying they were almost ready to buy more Javelins?

LT. COL. VINDMAN: So, in my recollection, I would say that that particular line in itself and connecting it to the Javelins, it makes sense logically, but that's not probably the portion of the call that was more alarming. It's the subsequent portion in which it talks about the investigation into a U.S. citizen, Chairman.

THE CHAIRMAN: And both those parts of the call, the request for investigation of Crowd Strike and those issues, and the request for investigation of the Bidens, both of those discussions followed the Ukraine President saying they were ready to buy more Javelins. Is that right?

LT. COL. VINDMAN: Yes.

THE CHAIRMAN: There was a prior shipment of Javelins to Ukraine, wasn't there?

LT. COL. VINDMAN: So that was, I believe -- I apologize if the timing is incorrect -- under the previous administration, there was a -- I'm aware of the transfer of a fairly significant number of Javelins, yes.

THE CHAIRMAN: Okay. I'll yield back to Mr. Noble.

BY MR. NOBLE:

Q Sticking with the call, I believe you testified that President Trump's demeanor or tone was different on the July 25th call

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than it had been on the April 21st call. Is that right?

A Correct.

Q Can you explain what you mean? How was it different?

A So the call that occurred on April 25th was complimentary.

Q April 21st --

A April 21st, correct. April 21st was complimentary, positive. He repeatedly praised President Zelensky for the significant landslide victory he had achieved. And, in general, I think there was, you know, probably a little bit of humor exchanged. As you may know, President Zelensky is a comedian. So he tries to put in a couple of, I guess, lighter lines in there to help him build rapport. I think he -- frankly, President Zelensky attempted to do that in this case also. It just didn't seem to carry with the President.

Q And can you describe President Trump's tone during the July 25th call?

A I mean, I guess the concrete is he spoke lower. I'm not there in the room with him, so I -- and I in no way have had significant interaction to somehow assess what he's like or anything of that nature. But just it was -- based on the comparison between the two calls, it just seemed -- it was -- the atmospherics and the tone were not the same.

Q In between the April 21st and July 25th calls, are you aware of whether President Trump had any conversations with Vladimir Putin?

A Sure. There were, if I recall correctly -- and I think this

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was also publicized -- there was a phone call during the summer about the wildfires, and the President called President Putin to talk to him about the wildfires.

Q Did you review any of the transcripts or the memoranda, the summaries of those calls?

A I don't recall reviewing the TELCON. I did get a readout of the call, though.

Q Do you know whether the topic of Ukraine ever came up in any of those conversations?

A I apologize. I'm just trying to remember. When you say "review," to me that means like I actually took it and looked at it for content because I'm the principal. I do vaguely recall actually reading through the transcript and then getting a readout from -- because, again, I have a role in that; it's part of my portfolio. But it wasn't like a review for accuracy or anything of that nature.

Q Right. Do you recall any discussion of Ukraine between President Trump and President Putin?

A I do not.

Q Are you aware of a meeting that President Trump had with Viktor Orban of Hungary on or about May 13th?

A I am.

Q Did you participate in that meeting?

A I did not.

Q Did you get a readout from the meeting?

A I did.

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Q Do you do know whether President Trump and Orban discussed Ukraine in that meeting?

A They did.

Q Do you know what they discussed about Ukraine?

A So President Viktor Orban has on multiple occasions publicly criticized Ukraine for everything from a -- criticizing him for corruption to, frankly, probably the more relevant issue, the fact that the Ukrainians, under the previous President, President Poroshenko, had moved in a direction of strengthening Ukrainian nationality but also by doing that through mandating use of Ukrainian language. And there are a number of minorities in Ukraine, and President Orban believed that these -- the language policies were not friendly towards the minorities. So he was highly critical about that.

And what I, I guess, found, you know, interesting and troubling about President Orban is, at this point, President Zelensky had had a number of positive interactions with world leaders. You know, again, in my role as a coordinating interagency policy, I get reports from colleagues from foreign -- representatives of foreign capitals telling me about the interactions they had. And in all cases, they were positive. And, frankly, Victor Orban's was in great contrast to that.

Q Do you know whether Ambassador Bolton opposed the meeting between President Trump and President Orban?

A My recollection is I believe that that is the case, yes.

Q Do you know who set up that meeting?

A So my recollection is that the Ambassador, Cornstein,

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basically leveraged his capital with the administration to try to schedule that meeting.

Q Do you know whether Mick Mulvaney had any role in setting up the meeting, scheduling the meeting?

A According to my recollection, I believe he did.

Q Do you believe that the conversation that President Trump had with President Orban in any way shaped President Trump's views toward Ukraine?

A Frankly, I don't -- I don't know if I could -- that would be complete speculation on my part.

Q Fair enough. Do you know why Ambassador Bolton opposed the meeting?

A According to my recollection, and this would have been probably -- most certainly as a result of a discussion with Dr. Hill, the kind of information that President Orban was communicating was not just inaccurate, but it also would undermine efforts to organize our national security policy in a more constructive manner.

Q Toward Ukraine?

A Toward Ukraine.

Q I want to go back to the conversation that you had with Mr. Eisenberg, you said within an hour of the July 25th call. Do you remember that?

A To the best of my recollection, yes.

Q Did you ever have any additional meetings with Mr. Eisenberg, Mr. Ellis, or any other White House lawyers about the July 25th call?

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A I didn't -- my little -- kid brother, he's an attorney, so I speak to him at least two or three times a day in general. I don't recall any specific conversations, but this may have come up certainly as the whistleblower's complaint became apparent. I probably had conversations with him about it, but, again, it's more, you know, at that point it's more the personal relationship.

I think maybe if I'm -- if I understood your question correctly, I did not get any followup from either Mr. Ellis or Mr. Eisenberg, nor was I necessarily entitled to it. And, you know, I think, out of kindness, Mr. Eisenberg, on a couple of occasions, just kind of said, "Hey, how are you doing," and, you know, asked if I have any concerns or anything of that nature, and I didn't have anything else to communicate at that point, so it was more kind of a courteous type of -- courtesy.

Q Okay. In the meeting that you did have with Eisenberg and Ellis where your brother was also present, can you describe for us what happened?

A So I recounted my -- I recounted the -- excuse me -- I recounted the content of the transcript based off my notes, and then, frankly, I don't recall -- you know, I recounted the, you know, content of the call.

Q Uh-huh. Was there any discussion of what should be done about the call summary or the transcript?

A There was.

Q Can you describe that conversation for us?

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A Sure. So I, frankly, don't recall how the conversation originated, but I was a party to the conversation. I just don't recall who was the first person to raise this issue. But as it came up, there was a discussion about the sensitivity of the, you know, the matter. And there was also a discussion of the fact that the -- there are constant leaks and that it was appropriate to restrict access for the purpose of the leaks. And, you know, at this point, I'm not sure if it's what I may have read afterwards, but I do vaguely recall some conversation about needing to preserve the integrity -- I think the attorneys were talking about preserving the integrity of the transcript or something of that nature.

Q Okay.

A And then there was a decision made by Mr. Eisenberg to put it into this [REDACTED] system.

Q Do you recall who brought up the belief that the contents were, as you said, sensitive?

A I don't recall who brought it up, but I certainly weighed in on the fact that, you know, it was apparently sensitive, and I thought it was, you know -- I'm trying to remember -- I didn't think it was necessarily wise to treat it separately or differently than any other type of communication, but I'm not an attorney, and I don't recall what I said, but I know at the time I was thinking that, you know, if there is something troubling about it, we should probably -- the right thing to do is just do the right thing and treat it as you would anything else.

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Q Does the fact that it was viewed as being sensitive necessarily mean that it was classified, that it should be classified or put into a system for very highly classified information?

A So, sir, I would say that the use of the system is at the discretion oftentimes not of the legal shop or the senior legal counsel; it's oftentimes actually at the discretion of the directors. And if they want to limit access to it, because they think it's sensitive or they don't want it to go out to a broader community, will do that. Whether that's what it was designed for, you know, it seems it might not be, but that's not unusual that something would be put into a more restricted circulation.

Q And I'm still trying to understand why it was viewed as being sensitive? Was it sensitive because of national security reasons, or was it sensitive because of other reasons? Was the discussion of the Bidens sensitive to national security, in your mind?

A From a foreign policy professional perspective, all of these types of calls would inherently be sensitive. This one may be more so because it could somehow undermine our relationship with the Ukrainians. So, from that standpoint, you know, I guess -- in my mind, it could be justified to put it in the system because, again, if it went out, it could harm our relationship. I think ultimately that call was made -- I'm not sure -- the call was made by John Eisenberg, the senior NSC lead counsel, and he did it based on his experience and judgment.

Q Okay. And why, in your mind, would it be damaging to

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U.S./Ukrainian relations if this call were to get out?

A Because it, again, would implicate a partisan play. You know, then there's doubt about how the Ukrainians are going to react to it, whether they're going to act on a request or so. This whole -- sir, I'll say that this whole episode has probably not been helpful to our bilateral relationship with Ukraine. I think the fact is, if our relationship was to promote a strong sovereign Ukraine, this process is undermining that. I mean, I know that there are bigger issues in play here; don't get me wrong. But this is not helpful toward our bilateral relationship with Ukraine because Ukrainians don't know how to handle the situation. And, you know, they don't know if they still have the ironclad support that we've attested to on numerous occasions. So I think having something of that nature out there is problematic.

Q In the conversation with the attorneys, can you recall who first raised the idea of placing this call summary into I believe it's called the [REDACTED] system?

A If I recall correctly, it would have been Michael Ellis.

Q And what did Ellis say about it?

A He said if it's sensitive -- frankly, I don't even think he -- because he wasn't there for the part of the meeting in which I went over the content of the call; I think he came in later. And he just, you know, just on the mere fact that it was sensitive without necessarily diving deeper into why it's sensitive or of that nature, he was like, why don't we just put it into this restricted system, and

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then we can deal with it later. I don't think there was any malicious intent or anything of that nature.

Q You said but ultimately it was Eisenberg's decision?

A He was the senior person in the room, and he gave the go-ahead, yes.

Q Are you aware of any other call transcripts or summaries that were placed into the more restricted system?

A I mentioned that, you know, this is not entirely unusual. It doesn't happen regularly, I think most of these types of things handle -- occur in the normal channels, but I am aware of other communications that have been -- yeah -- so, without going into the specific incidents, I guess, these are other classified materials.

Q Do you know if any call summaries or meeting summaries of communications between President Trump and President Putin were placed into the [REDACTED] system?

A I'm not sure if it's appropriate to answer that if it's classified.

Q Do you know if --

MR. VOLKOV: I'm going to instruct him not to answer that. I just don't think it's, I mean, it calls for classified information.

MR. NOBLE: Is the fact of whether the transcripts were put into the system itself classified?

MR. VOLKOV: I'm going to, I mean, I just would feel more comfortable if it's not.

MR. NOBLE: I mean, do you know if the -- were the calls put into

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the system for reasons of political sensitivity -- between Trump and Putin?

MR. VOLKOV: Is that like -- if you're asking for, is it a definition of classified to say something is politically sensitive, he can answer that, you know, in terms of what are the -- what goes into making something classified. Otherwise, I don't really -- I don't think it's productive to go down there.

MR. NOBLE: Yeah, I'm going to move on.

BY MR. NOBLE:

Q I'd like to go back in time to May 20th to the U.S. delegation to Zelensky inauguration. You were a member of that delegation, correct?

A Correct.

Q Do you know how the other members of the delegation were selected?

A Yes. As I recall, the State Department provided a recommendation for a Presidential delegation, and I used that as the basis to make a recommendation to Ambassador Bolton for the final Presidential delegation.

Q And who were the members that were on that list?

A So I don't recall everybody who was on the list. I can tell you who he whittled it down to; there was a cut line. We basically -- the State Department list probably had about 10 names or so, maybe even more, depending on how large it was going to be, and some of this is governed by aircraft and so forth, and we just whittled

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it down to really four or five people.

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[1:34 p.m.]

BY MR. NOBLE:

Q And who ended up going?

A So it was Secretary Perry, was the head of the delegation, Ambassador Volker, Ambassador Sondland, and myself that were coming from outside Ukraine, and Joseph Pennington, who was the acting Charge d'affaires.

Q And did you say Senator Johnson was part of this?

A Senator Johnson -- informally, he was part of the delegation. We made it a point to incorporate him into all of our engagements and basically treat him as a member of the delegation, but formally he was not part of it, because, you know, they basically limited it to the people I just outlined.

Q Was Ambassador Sondland initially removed from the list?

A I recall that he was.

Q Who did that?

A I think that Dr. Hill may have possibly removed him, because of the understanding that she didn't think that Ambassador Bolton wanted him on the delegation.

Q Yeah. Do you know why not?

A Because it was outside of his portfolio, and he tended to go off script so there was some risk involved.

Q What does that mean, he tended to go off script?

A He's not a professional diplomat. And this is not critical of him, but he didn't necessarily act as a diplomat and he wouldn't

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necessarily, you know -- if we had a consistent position and a consistent set of talking points, he would not necessarily be consistent with our -- with the rest of the consensus view.

Q Do you know how Sondland got back on the list?

A I don't recall.

Q Was Vice President Pence originally supposed to lead the delegation?

A He was.

Q Do you know why he didn't go?

A It would be speculation as to why he didn't go.

Q Did anyone tell you why he didn't go?

A I don't recall specifically. It would have been -- my rather vague recollection is this was about the same time as some, you know, major changes in the narrative on Ukraine corruption and the investigation into the Bidens and whether the Ukrainians were cooperating, and that there was a story that had unfolded within a couple days of us receiving notification that the inauguration was set.

So we found out about it on Thursday, which I believe is the 17th, and then the inauguration was going to be on -- Thursday, we only had Thursday and Friday to prep for it, and the inauguration was on Monday.

So we very -- we -- I was aware of the fact that Secretary Perry was interested in leading the delegation, because he was involved in advancing U.S. interests with regard to energy. And we quickly found him and lined him up to be the head of the delegation.

Q Did you say something about there was a story or information

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about whether the Ukrainians were going to cooperate with an investigation of Biden?

A This was open source, but this was kind of -- there was some speculation I think, frankly, from within the office on -- as to why, you know, the Vice President was pulled off the --

Q And who was involved in those communications? When you say "the office," you mean the National Security Council staff?

A Yes.

Q And they were speculating that Vice President Pence may have been pulled from the delegation because there had been reports that the Ukrainians may not be interested in investigating the Bidens. Is that the gist of it?

A The story that I recall was Mr. Giuliani talking about how Ukraine and Zelensky's inner circle had enemies of the administration.

Q Are you referring to the New York Times article that was on or about, I think, May 10th or 11th, where Giuliani announced that he was cancelling his trip to Ukraine?

A So this would be a follow-on, I think, story. And if I recall correctly, I thought it was to FOX News or something like that, a FOX interview or something like that.

Q Are you aware of a May 16th article by Bloomberg in which Prosecutor General Lutsenko said that he had no evidence of wrongdoing by Biden or his son, that Hunter Biden did not violate Ukrainian laws, but had promised to pass information about Burisma to Attorney General Barr. Is that the May 16th article?

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A I do recall that, yes.

Q And so tell us about the discussions you had with your fellow NSC staff members about why Vice President Pence was removed from the delegation?

A I think I covered it. I think it's, frankly, you know -- I don't think anybody had a firsthand account or deep insight into why that happened, but I think there was some speculation that it may have had to do with, you know, the fact that Ukraine was seen as an enemy or something of the administration.

Q Let's talk about the trip to Kyiv itself. Did you have meetings with President Zelensky while you were there?

A I did.

Q Did you have any communications with or conversations with President Zelensky yourself?

A I did, yes.

Q Can you tell us what you discussed with him?

A So there was a -- you know, a relatively quick meet and greet, and I think there's actually a picture floating out there of me talking to him just on the -- I don't recall? I think it was at actually the end of the bilateral meeting, where I briefly, you know, said, hey, I'm a -- I kind of told him who I was and my background, and we marveled on the connections there and so forth.

And the more substantive engagement was the -- during the bilateral meeting, when we were covering I guess the relevant material of implementing reforms, fighting corruption, I had an opportunity to

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speaking. Secretary Perry was very courteous and inclusive in making sure that other people, you know, if they had something to share had the opportunity to do so.

And I -- the points that I delivered were on being cautious with regards to Russia and the fact that Russia was likely to take advantage of, you know, the inexperience of the Ukrainian leadership team, and specifically also staying out of the domestic politics in the United States.

Q And why did you feel the need to raise that latter point about staying -- warning President Zelensky to stay out of the domestic politics in the United States?

A It was a relevant issue. And the perils of taking a partisan stance, in my view, were -- would likely harm bilateral relations.

Q Did you give him this warning in front of the entire U.S. delegation?

A Yes.

Q Did you understand that President Zelensky was aware of this pressure to get involved in U.S. domestic politics at that point?

A I was aware of the fact that the Ukrainian Embassy in the United States was aware of these concerns, because they had taken these concerns to me. And I was aware of the fact that he would certainly be alert to this issue because there were, in fact, a number of stories.

Lutsenko was, in fact, serving as his prosecutor general at that point, or as soon as he was sworn in would be serving as his prosecutor general, and he was absolutely ridiculously stumbling into something

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that would be harmful to Ukraine for self-serving reasons. This guy was doing everything he could to preserve his position, to stay in power, to protect himself, and he was harming Ukraine in doing so. He didn't care as long as he was serving his own interests.

Q You're referring to Lutsenko?

A Lutsenko.

Q Can you tell us a little bit about the conversations you had with the Ukrainian Government officials here in D.C.? What were their concerns? What were -- what advice were they asking for?

A They were just asking, you know, for advice on how to respond to Mr. Giuliani's advances, meaning his call to undertake these -- what would come across as partisan investigations.

Q And when was the first time that you recall that the Ukrainian Government officials expressed those concerns to you?

A So I would say that -- I would say that this is probably in the April timeframe, because initially the story was that Lutsenko was developing -- attacked Ambassador Yovanovitch, and then he continued to, you know, advance this narrative that brought in the Bidens and Burisma and all these things. So I would say in the April timeframe, late April timeframe.

Q Did any Ukrainian Government officials express concern to you about the removal of Ambassador Yovanovitch? Did they have questions about that?

A I don't recall. I think -- I don't recall, frankly.

Q In response to these requests for advice from the Ukrainian

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Government officials, what did you tell them?

A I consistently told them to not become involved in these -- in these activities, and that we had a robust bilateral agenda that we needed to implement and that we should focus on that.

And I told them that I'm -- you know, I'm not a politician and, you know, this is not something that I can, frankly, be probably particularly helpful in.

Q And that was essentially the same message you delivered to President Zelensky --

A Correct.

Q -- in Kyiv in May?

A Yes.

BY MR. NOBLE: I think my time is about up.

BY MR. CASTOR:

Q Which Ukrainian officials were you having discussions with?

A My primary contact would be the Deputy Chief of Mission at the time, Oksana Shulyar, S-h-l-y-a-r. She's the Deputy Chief of Mission.

Q What other Ukrainians?

A So I -- with regard to the specific -- so I also met with the Ambassador, Ambassador Chaly. And I would have -- I'm sure during that course of time I would have had probably at least a contact with the political officer, Andrii -- his name will come back to me. He's actually the Deputy Chief of Mission now. It will come back. It will come back to me. Sorry.

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Q Andrii Telizhenko?

A No. Different -- Andrii Telizhenko is not -- in my understanding, he's not a credible individual.

Q Okay.

A This is -- he is the current Deputy Chief of Mission, and he is -- it will come back to me. I apologize.

Q Okay.

A He just recently took over -- Ambassador Chaly left his position as Ambassador in the middle of September, and I have not had a huge amount of time to meet -- I've met him before, Andrii, a very good guy. He's a senior representative now, but, you know --

Q During times relevant, what other Ukrainians, you know, any Ukrainians that were government officials in the Ukraine?

A So -- yes. We had delegations from Ukraine come through.

Q But I mean conversations that you were having specifically one-on-one.

A Except for these -- the -- per protocol, the Director on the National Security Council is responsible for managing the relationships with the embassies here.

So, per protocol, my colleague -- anybody in the regional bureau maintains relationships with the Ambassador or the Deputy Chief of Mission, the political officer. We do this as a matter of course with any country and certainly probably more closely with allies. I don't know how many times I met with, you know, my German, French, and not just in singles but in groups, to exchange views.

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So specifically one-on-one, just for the countries I was responsible for.

Q Right. I'm just asking about Ukrainians that may have been based out of Ukraine. Any?

A Based out of Ukraine? I'm not referring to anybody that was based out of Ukraine.

Q Okay.

A The people I'm talking about are representatives and officials that are assigned to the Ukrainian Embassy in Washington.

Q So you weren't having communications with Mr. Yermak?

A No. The first time I had met Mr. Yermak was on July 10th, and then one, you know, pleasant exchange, email in which he said he's open to working with me. I said, please feel free to contact me. I never had any contact with him outside of those.

Q Okay. So the universe of Ukrainians that you were dealing with were largely at the embassy, one-on-one communications?

A Unless they were -- unless they were delegations, official delegations that came through. And Ukraine is considered a significant partner, so we make it a point to keep our doors open to them and making sure that, you know, if they have something they want to share with us, they share it with us. So there were probably, you know, at least a half a dozen different delegations that would have come through.

Q Okay. We'll probably get into it in a little bit more detail later, but after the aid was put on hold during the July 18th and

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subsequent time period leading up to September 12th, were you having any communications with any Ukrainian officials?

A So the Ukrainians were not actually aware of the fact that -- as far as I know, the Ukrainians were not aware of the fact that aid was put on hold until probably closer to sometime the beginning of August, beginning the middle of August.

So did I have my normal official standard contact with the Ukrainians? I did throughout this period, but it wouldn't have been in the context of specifically talking about security assistance or assistance.

Q When did you first learn they were aware the security assistance was on hold?

A I think they didn't learn this, frankly, until probably -- you know, like I said, probably the first stories emerged in the open source, you know, in the mid August timeframe, early to mid August timeframe.

Q Okay.

A And that's -- you know, then that's when I started getting queries.

Q And if the first story didn't emerge until August 28th or 29th, is that possible too?

A I don't -- I don't think it was that late. I'm -- I recall having a conversation earlier than that.

Q Okay.

A But I mean --

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Q Can you remember what outlet reported that?

A I don't.

Q Okay. There was a Politico story on August 28th or 29th reporting the aid.

A I'm aware of that one, but I'm also aware of some other kind of, you know -- the story didn't pick up traction. I think there were some other things that the Ukrainians became aware of at some point, not much earlier but earlier than the end of August.

Q Okay. Turning back to the July 25th call, you related your concerns to John Eisenberg and the group that you described in the NSC counsel's office. What other people did you express your concerns to that you can remember? And if you're not going to identify a person, let's just, you know --

MR. VOLKOV: I want to object there. And I want to object there because I think this is a question that may elicit some concern with regard to intelligence officers. So --

MR. CASTOR: Can you let me finish my question here?

MR. VOLKOV: You know the objection already, so if you want to --

MR. CASTOR: If you can let me -- if you --

MR. VOLKOV: If you want to keep going down this road, we're going to just keep objecting, okay? So --

MR. CASTOR: You didn't hear me finish.

If you don't want to identify the person or where they work, can we just call them person number one, and this is what I said to person number one?

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MR. GOLDMAN: I think this gets to the same point. We're not in a position to rule on this. There are no Members here right now. What we would ask you to do is to table this line of questioning until Members can return and we can do it.

Just to be clear, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] the concern that the chair has expressed is that we need to steer clear of doing that.

So if you have another reason why you want to know what he told other individuals about the call that you can elaborate on or you can explain, then certainly we would consider that and take that to the chair.

MR. CASTOR: I'm just trying to better understand who the universe of people the concerns were expressed to, and if there's somebody --

MR. GOLDMAN: Why?

MR. CASTOR: Because it goes to articulating his -- how he experienced the events.

MR. GOLDMAN: Okay, go ahead. If we could come back to this line of questioning later, though, I'd be appreciative.

MR. CASTOR: There's a little bit of a disconnect, because in your statement you say you don't know who the whistleblower is, and now all of a sudden we're asking who you had communications with. And --

MR. VOLKOV: Wait, wait, wait. Look, the reason we're objecting is not -- we don't want -- my client does not want to be in the position

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of being used to identify the whistleblower, okay?

Now, our objection to that is we don't want -- it's purely a matter of intelligence professionalism that he not be put into that situation. And the fact that what he said as a way to identify the whistleblower or whatever is just not relevant to him. It may be relevant to you, but it's not relevant to him.

MR. CASTOR: Okay.

MR. VOLKOV: And based on the chair's ruling, as I understand it, he's not required to answer any question that would tend to identify an intelligence officer.

MR. CASTOR: Okay. Did you express concerns to anybody, you know, that doesn't fall under this category of someone who might be the whistleblower, or is Eisenberg the only --

LT. COL. VINDMAN: No. In my coordination role, as I actually said in the statement, in my opening, it's the part where I say that I've got -- furthermore, in performing my coordination role as Director on the National Security Council, I provide readouts of relevant meetings and communications to [REDACTED] properly cleared national security counterparts with a relevant need to know.

MR. VOLKOV: And I do believe -- just to facilitate this a little bit, I do believe that he mentioned that he did speak to Kent.

MR. CASTOR: Okay. So we got Kent, we got Eisenberg, and then we've got --

MR. VOLKOV: Right. And so he can recount the Kent conversation, if you like.

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LT. COL. VINDMAN: I'm sorry, was there a question?

MR. VOLKOV: What did you say to Mr. Kent?

BY MR. CASTOR:

Q Can you provide testimony on what you told Mr. Kent about the call?

A Sure. The appropriate elements of the call, the ones that had to do with policy issues, you know, what you have to understand is from George Kent's perspective, he's responsible, he's the Deputy Secretary responsible for the region, and he has -- he's also the former Deputy Chief of Mission in Ukraine. So, in his position, he knows -- he understands the entire landscape in Ukraine.

Q What did you say to Kent?

A So right, so hang on. Right. I know. Sure.

So what I did was I communicated the points that he needed to know to understand how the Ukrainians were going to react. So that's basically, you know, the fact that this investigation was raised. I relayed that to him.

I certainly covered the tone of the call and the fact that it was not a positive call that kind of advanced this idea of building rapport between the Presidents or got us any closer to, you know, resolving various issues from everything from the meeting to the security assistance issue that, again, the Ukrainians might not know about, but if they had a successful call and they kind of moved past that issue may have alleviated some of the President's concerns.

So none of that -- I mean, these are the topics we discussed.

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Specifically, other elements, you know, he -- again, based on his position, he understood, you know, the background on these CrowdStrike allegations. He understood the background on Burisma --

Q When you spoke with George Kent --

A I know. The --

Q I'm just asking you what you told him.

A It's important, because I also wanted to get his expert view on whether he thought there was anything there, and then to understand, you know, what kind of -- you know, how this could unfold further.

Q Okay. And what did Kent tell you?

A He told me that there was no substance behind these -- you know, this CrowdStrike issue. We confirmed the fact that there was no active investigation. You know, he certainly took note of the fact that, you know, there was a call to investigate the Bidens. He took note of the fact that we did not make any headway on building rapport between the Presidents and, you know, frankly, we basically were probably worse off after the call than we were before.

Q Okay. Now, you had previously told us that you reported your concerns to John Eisenberg about the 7/10 meeting, the 7/25 call. Now you're sharing your concerns with the State Department?

A I am coordinating with the State Department, in accordance with NSPM-4 and my role.

Q And so, right. So I'm just wondering whether -- did you ask Kent whether there was any initiative inside the State Department to deal with this situation, you know, whether Sondland was going coloring

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outside the lines or whether, you know, this Rudy Giuliani element was starting to cause problems?

A I'm going to have to think about that one for a second. I don't think -- I don't recall, frankly, having a conversation about what actions the State Department was taking. It was more along the lines of reading out the call, being sensitive to what -- how this could unfold rather than, you know, specifically -- I don't know if -- I think getting this back in the box, I don't recall if we took the conversation in that direction.

Q Okay. In your communications with any State Department officials about this situation, not just the 7/25 call but the issue of Sondland, Rudy Giuliani, the aspects that you were concerned about, the investigations, did you ever have any communications with State Department officials about how to right the ship?

A So I did voice to Ambassador Volker the concerns about engaging with Mr. Giuliani, and I thought that there was more risk involved. And I want to say that I recall Dr. Hill had similar concerns. But I expressed the concerns on probably a couple of occasions, that there was a lot of risk involved with trying to deal with Mr. Giuliani, bring him back inside, and with -- yeah.

Q Okay. Did you ever have any communications with the Ambassador, Ambassador Taylor --

A Ambassador Taylor --

Q -- serving as the Charge at the time.

A Yeah. I mean, I had constant communication. Is there, I

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guess --

Q About this topic, was there concern with going outside the ordinary channels of diplomacy?

A So this is not something that I, frankly, recalled initially, but I certainly didn't miss the fact that Ambassador Taylor recounted to us, you know, an engagement in which Fiona, Dr. Hill and I spoke to him and kind of, you know, laid out the substance of the July 10th discussion --

Q Okay.

A -- and, you know, how would we, you know, manage these types of things.

Q And who -- where was that discussion? Where did that take place?

A By secure call.

Q Okay. And who was on the call?

A Just Ambassador -- as far as from our side, it was just Dr. Hill and myself, and I think -- I am only aware of Ambassador Taylor from the other side.

Q And roughly, do you remember when this occurred?

A Again, according to Ambassador Taylor's statement, consistent with my recollection, it would have been about the 18th or 19th. Whatever he had in there sounds about right, because we did have several -- we had had conversations with him.

MR. GOLDMAN: Of what month?

LT. COL. VINDMAN: Of July.

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BY MR. CASTOR:

Q Okay. Dr. Hill's last day was July 19th?

A Yes, that's right.

Q Do you know what the circumstances were of her departure?

A I think, you know, as far as I know, her tenure was -- she had been there one of the longest serving officials in the President Trump White House, and she had -- she had on several occasions voiced the desire to leave.

My understanding is that, you know, Ambassador Bolton was looking to make sure he had his team set all the way through the next election so there wouldn't be some disruptive change in leadership somewhere along the way, and that they just -- you know, that's the time that they picked.

Q Okay. So she decided that she didn't want to stay through the election, so she --

A That's not my understanding. My understanding is that Ambassador Bolton wanted to have his team set and, you know, in terms of kind of finalizing -- she was in the window, thinking about when she was going to depart. They just, you know, helped kind of set the date with the fact that they wanted to have a team set in the summertime for him.

Q Okay. But did Ambassador Bolton ask her to leave or was it a mutual decision or you don't know?

A I don't know. I don't know.

Q Okay. And then where did Tim Morrison, where did he come

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from?

A He came from the W -- Weapons of Mass Destruction Directorate on the National Security Council.

Q Okay. And how long had he been on the NSC before?

A I think he had joined about the same time I did, in maybe late June-early July timeframe of 2018.

Q All right. And what's been your relationship with Mr. Morrison?

A We have a professional relationship, probably no different than with any other director.

Q Okay. So your relationship with him is just as strong as it was with Dr. Hill?

A As strong. You know, I worked with Dr. Hill for well over a year and we built a solid relationship throughout that time. I think, you know, at this point, we have a, what I would say would be a relatively strong professional relationship. There's no -- nothing more to it.

MR. CASTOR: I want to make sure that our members get a chance. Mr. Ratcliffe had -- he was trying to ask questions at the end of last round, so I want to make sure I pivot to him.

MR. RATCLIFFE: Mr. Volkov, good to see you again.

MR. VOLKOV: Yes, nice to see you.

MR. RATCLIFFE: Colonel, thanks for being here.

I wanted to start with your statement, your opening statement that you submitted for the record, and ask you about the paragraph that a number of members have already covered, but I want to make sure that

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I clarify.

On page 5, I guess, that starts "election call," and I'm going to ask you about the last paragraph that starts: "I was concerned by the call." Before I do, did you write this statement?

LT. COL. VINDMAN: Yes.

MR. RATCLIFFE: Okay. So these are your words?

LT. COL. VINDMAN: Yes.

MR. RATCLIFFE: Anything about these words you want to change?

LT. COL. VINDMAN: No.

MR. RATCLIFFE: Okay. So in here, you -- in the paragraph before, you reference that: The transcript is in the public record, we are all aware of what was said. I was concerned by the call. I did not think it was proper to demand that a foreign government investigate a U.S. citizen.

You said: "I did not think it was proper." You didn't say it was not proper. Were you uncertain?

A I was not uncertain.

Q All right. Then do you want to change your statement to say that it was not proper to demand that a foreign government investigate a U.S. citizen?

MR. VOLKOV: I'm just going to object. That's -- look--

MR. RATCLIFFE: Well, I'm trying to get to -- go ahead.

MR. VOLKOV: Sir, we're not in front of a jury. I mean, we're not playing games with three or four words. It means the same thing.

MR. RATCLIFFE: Well --

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MR. VOLKOV: I know you're a former U.S. Attorney, so I get it.

MR. RATCLIFFE: I think the words that are used in congressional testimony are important. This isn't a trick question. I'm just trying to understand the certainty of the witness. And if the answer is that --

MR. VOLKOV: He answered that, okay? So he doesn't need to change his statement.

MR. RATCLIFFE: All right. So you did not think it was proper to demand that a foreign government investigate a U.S. citizen. You used the word "demand," it was not proper to demand. Where in the transcript do you believe that the President made a demand to investigate a U.S. citizen?

LT. COL. VINDMAN: So, Congressman, the power disparity between the President of the United States and the President of Ukraine is vast, and, you know, in the President asking for something, it became -- there was -- in return for a White House meeting, because that's what this was about. This was about getting a White House meeting. It was a demand for him to fulfill his -- fulfill this particular prerequisite in order to get the meeting.

MR. RATCLIFFE: Okay. Well, and I understand that based on that answer that your opinion is that it was a demand. I'm looking for where in the transcript you think there are words used that justify the use of that term, "demand," as opposed to what you just said, which was ask for.

LT. COL. VINDMAN: You know, I guess I didn't -- frankly,

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Congressman, I didn't parse the words all that clearly. This is, you know -- I'm not -- I guess I -- I'm not an attorney by training. This is -- I just wrote it the way I kind of felt it. And that's the way I described it.

MR. RATCLIFFE: Fair enough. The reason I'm asking you, though, is the word when we're talking about an allegation that there was a quid pro quo has significance, and demand has a specific connotation. And in this case, President Trump has said there was no demand. President Zelensky has said there was no demand. Secretary Pompeo has said there was no demand. Vice President Pence has said there was no demand.

But, Colonel Vindman, it's your opinion that there was a demand, and so I'm asking where in the transcript do you find words used that justify that term?

LT. COL. VINDMAN: Sure. I guess, Congressman, I'd go back to the fact that, you know, this whole matter had been unfolding over the course of months. On the 10th of July, this -- it became completely apparent what the deliverable would be in order to get a White House meeting.

That deliverable was reinforced by the President. There was no, oh, it's okay -- you know, I guess in my mind, there was no it's okay, if you don't want to do the investigation we can still do a White House meeting. The demand was, in order to get the White House meeting, they had to deliver an investigation. That became clear as time progressed from how this thing unfolded through the 10th all the way through the

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conclusion.

That's my -- I mean, that's just the way I -- it seemed clear to me, and that's my -- that's why I said I think. That's just the way it seemed to me.

MR. RATCLIFFE: Okay. So, again, clear to you, but you cannot point to me a specific place in the July 25th phone call that justifies the use of the word "demand."

LT. COL. VINDMAN: If you give me a minute, Congressman, I'll just --

MR. RATCLIFFE: Take as long as you want.

LT. COL. VINDMAN: And I'll take a look and see if I can find something.

MR. RATCLIFFE: What's the time? I just want to reflect how long the witness is looking for words to justify demand and the record reflect that.

What's the time? All right. I'm going to let the record reflect that I've given the witness several minutes to look for words that justify the use of the word "demand."

Have you found anything at this point?

LT. COL. VINDMAN: I think so.

MR. RATCLIFFE: Okay. What is it?

LT. COL. VINDMAN: So I'm going to read the President's words as they were in this -- as they were transcribed in this record.

I would like you to do --

MR. RATCLIFFE: What page?

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LT. COL. VINDMAN: This is page 3, Congressman. I would like you -- top of the page. I would like you to do us a favor, though, because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine. They say CrowdStrike. I guess you have one of those -- one of your wealthy people, the server, they say Ukraine has it. There are a lot of things that went on, the whole situation. I think you're surrounding yourself with some of the same people. I would like you to have the Attorney General call -- I would like to have the Attorney General call you or your people and I would like you to get to the bottom of it.

I'll go on. As you saw yesterday, that whole nonsense ended with a poor performance by a man named Robert Mueller, an incompetent performance, but they say a lot of it started with Ukraine. Whatever you do, it's very important that you do it -- that you do it if that's possible.

And then next time he speaks at the bottom of the page, good, because I heard you had a prosecutor --

MR. RATCLIFFE: Okay. Let me stop you right there, just to address it paragraph by paragraph. In that sentence, does the President mention anything about Biden or Burisma? Does the President mention anything about Biden or Burisma?

LT. COL. VINDMAN: No. No, Congressman.

MR. RATCLIFFE: Okay. Are the President's comments in that paragraph that you just read where he asked for a favor that you're

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interpreting as a demand relate specifically to the 2016 election and whether or not there was interference involving the DNC server?

LT. COL. VINDMAN: Sure, Congressman, I'll simply say -- I'll simply say that the demand, the way I wrote it in the -- my testimony or opening statement is my assessment of the entirety. I just read the first paragraph. It's the entirety of what the President communicated.

And when the President of the United States makes a request for a favor, it certainly seems -- I would take it as a demand.

MR. RATCLIFFE: Fair enough.

LT. COL. VINDMAN: As a military officer, Congressman, as a military officer, if my superiors tell me to do something, I take that not as a request, I take that as a demand.

MR. RATCLIFFE: Again, I don't want to spend too much time on this, and you've made clear that that's your opinion. It's not an opinion shared by either of the Presidents on the call or others, but your testimony, to be clear, is that there's not a specific place, it's the entirety of the transcript that you believe would make it fair to characterize this as a demand by the President of the United States to the President of the Ukraine?

LT. COL. VINDMAN: That is, in fact, the case.

MR. RATCLIFFE: Okay. Do you know whether it's proper for a President, whether he is asking or demanding assistance, to investigate a U.S. citizen?

LT. COL. VINDMAN: The -- so, Congressman, when I spoke to

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Mr. Eisenberg, I was expressing concerns about the entirety of the conversation. I was relaying to him my concerns. Was I making a judgment on anything outside of that, for instance, criminality? No. All I was doing was, through the chain of command, expressing concerns.

MR. RATCLIFFE: Okay.

LT. COL. VINDMAN: Did I in any way foresee that this was going to unfold the way it did and it was going to be in the public record? No. I was just expressing concerns.

And, frankly, there was a reason for this. Because these are senior officials within the Department that provide him counsel. That they could then say, Mr. President, this -- you know, we might want to stay away from this topic. And that's what I'm doing when I provide my best advice.

MR. RATCLIFFE: I appreciate the explanation, but the answer is that you didn't know, correct?

LT. COL. VINDMAN: I thought it was wrong. I thought it was wrong for the President of the United States to call for an investigation of -- call a foreign power to investigate a U.S. citizen.

MR. RATCLIFFE: Okay. But you didn't know -- and I'm not being mean about this, but you're not a lawyer, correct?

LT. COL. VINDMAN: I am not.

MR. RATCLIFFE: You don't have experience in the Justice Department, correct?

LT. COL. VINDMAN: No.

MR. RATCLIFFE: You're not familiar with criminal law generally

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or specifically?

LT. COL. VINDMAN: Only in that my twin brother is an attorney.

MR. RATCLIFFE: Okay. Do you have any expertise regarding Mutual Legal Assistance Treaties or specifically the one with Ukraine?

LT. COL. VINDMAN: I'm somewhat familiar with the MLAT for Ukraine, just because in the course of my duties I had to work through some issues. So, yes, I am familiar with the MLAT.

MR. RATCLIFFE: So are you familiar with what a President is authorized to do in connection with a criminal investigation like the one that was discussed in the paragraph that you just read?

LT. COL. VINDMAN: I was not making a legal judgment. All I was doing is sharing my concerns with my chain of command.

MR. RATCLIFFE: Okay. So you get to an important point here, because you go on to say, obviously, that you were concerned and, as a result of that, you reported your concerns to the NSC's lead counsel, Mr. Eisenberg, correct?

LT. COL. VINDMAN: Correct.

MR. RATCLIFFE: Okay. And you just said you reported it because you thought there was something wrong, and I'm trying to find out if you were reporting it because you thought there was something wrong with respect to policy or there was something wrong with respect to the law.

And what I understand you to say is that you weren't certain that there was anything improper with respect to the law, but you had concerns about U.S. policy. Is that a fair characterization?

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LT. COL. VINDMAN: So I would recharacterize it as I thought it was wrong and I was sharing those views. And I was deeply concerned about the implications for bilateral relations, U.S. national security interests, in that if this was exposed, it would be seen as a partisan play by Ukraine. It loses the bipartisan support. And then for --

MR. RATCLIFFE: I understand that, but that sounds like a policy reason, not a legal reason.

LT. COL. VINDMAN: I was making a judgment call as a layman, thinking that it was wrong. I've got 20-plus years as --

MR. RATCLIFFE: I understand. My time is short, and I'm not trying to --

LT. COL. VINDMAN: Congressman, I'm just saying that, you know, we make -- as military officers, we make judgment calls all the time. Some of them are more important than others. In combat, lives matter. And, frankly, other places I've worked for, maybe even more important. When I was an attache in Russia, every decision you make matters.

So I made a judgment call. I thought this was wrong. My experience has always suggested that if there is -- if you feel like something is wrong, it is your duty to report it to your seniors, and that's what I did.

MR. RATCLIFFE: And I'm not quibbling with that. I'm trying to make sure that we pin down the reason that you reported that you thought this was wrong, whether it was a legal reason, in other words, whether or not you were concerned because I think a crime just occurred or a high crime or an impeachable offense. And I'm hearing you say that

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that's not the case.

LT. COL. VINDMAN: Congressman, I apologize. In my last statement, maybe I came across as a little bit heated. I did not know whether there was a crime or anything of the nature. I thought it was wrong. In my mind, did I consider the fact that there could have been other implications? Yes. But that wasn't the basis of -- I wasn't lodging a, you know, criminal complaint or anything of that nature.

MR. RATCLIFFE: Fair enough. What you relayed your concern, though, did sound like it was a policy concern, how this was going to impact the national security policy with respect to Ukraine.

LT. COL. VINDMAN: Congressman, that's part of it. I think the other part of it was that I made a moral and ethical judgment, and I thought it was wrong and I was relaying that. I also had deep policy concerns.

MR. RATCLIFFE: So who sets the policy?

LT. COL. VINDMAN: The President sets the policy.

MR. RATCLIFFE: Okay. And so you reported this to -- as you said, reported those concerns to Mr. Eisenberg on that day, that you thought there might be something wrong, correct?

LT. COL. VINDMAN: Correct.

MR. RATCLIFFE: Who else did you report -- who else did you report those concerns to?

LT. COL. VINDMAN: I certainly, as I said so far, I had a conversation with my identical twin brother. He came in with me into the conversation with John Eisenberg.

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And then, frankly, I guess I go back to what I put in my statement on page 2: Furthermore, in performing my coordination role as a Director on the National Security Council, I provided readouts of the relevant meeting -- I provided readouts of relevant meetings and communications to a very small group of properly cleared national security counterparts with a relevant need to know.

MR. RATCLIFFE: Okay. So interpreting that as a relevant need to know, I get that they have security clearances, were they all in the chain of command?

LT. COL. VINDMAN: That's not the way the National Security Council works. There is a chain of command that --

MR. RATCLIFFE: I get that. My question is simply, were they all in the chain of command?

LT. COL. VINDMAN: So I'm going to attempt to answer it. I'm not trying to be evasive. So when I was making my -- voicing my concerns to Mr. Eisenberg, it was based on the concern that there -- that, you know, that I was concerned about the fact that the President was asking a foreign power to investigate a U.S. citizen.

When I was talking to my counterparts with the relevant need to know, it was in my coordination function. Under the National Security Policy Memorandum 4, I am obligated to coordinate with the appropriate people, and that's what I did in this case. I wanted to make sure that the relevant people, again, the very small group of folks that had the relevant need to know and to act on -- how should I put this? -- implementation of policy or understanding the implications

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of policy had the required information to understand how things were going to fall out and what actions the Ukrainians were taking.

MR. RATCLIFFE: Okay. I don't want you to name any specific person, but did you have any conversation with [REDACTED] [REDACTED] not in the chain of command?

MR. GOLDMAN: Mr. Ratcliffe, I'm going to interrupt.

MR. VOLKOV: I'm going to object. We've already had a ruling from the chair as to this.

MR. GOLDMAN: Mr. Castor brought up this line of questioning earlier and we agreed to table it until the chair returns, because the counsel lodged an objection. So if you would hold this line of questioning over until the chair can return from votes, we can address it then.

MR. RATCLIFFE: Okay. Then let me move on to something that you said earlier that I want you to clarify for me, Colonel Vindman. You said that -- I wrote down, in talking about the investigations that they -- it was your opinion that they were, quote, "not credible," end quote, that, quote, "there seemed to be a lot of leaks," end quote.

And then you -- and, again, I'm not -- I wrote this down. I want to give you an opportunity to address it or clarify it. That you had conversations with Ukrainian officials about what to do regarding Mr. Giuliani, and I wrote down that your response was that you told them to stay out of U.S. domestic issues, stay out of U.S. politics.

Does that sound like what you said earlier today, or words to that effect?

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LT. COL. VINDMAN: So yeah. I mean, frankly, Congressman, I think you captured like three or four different responses to three or four different questions there. I don't think those were all, you know, in the same -- same, you know, question.

But I think that I guess, as individual sections, that sounds accurate, yes.

MR. RATCLIFFE: Okay. So on the issue of advising Ukrainian officials to stay out of U.S. domestic issues, is that one conversation, multiple conversations?

LT. COL. VINDMAN: I could probably -- I would say that it became an increasing theme as the Ukrainians became increasingly concerned about the narrative that was emanating from Mr. Giuliani, that I would continue to get the same types of questions about what -- you know, what do we do with regard to these calls for an investigation and things of that nature.

My answer would be consistent. I am not a -- you know, a political individual. I'm not a political operative. I'm a professional military officer, a -- you know -- as designated by the National Security Council, a kind of foreign policy expert, though that might be extreme.

I would counsel them that this is outside of my wheelhouse and, frankly, you know, I don't fully understand all the implications; but I would consistently also counsel them that it's important to stay out of U.S. politics. Because if you recall, Congressman, we have Ukraine's neighbor, who is actively engaged in war with them, was

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involved in 2016 election meddling, and that did not work well for the U.S.-Russian bilateral relationship. If anything, that significantly retarded that relationship.

MR. RATCLIFFE: So --

LT. COL. VINDMAN: And in order to -- Congressman, I apologize. In order to avoid that kind of pitfall for what I considered to be an important ally to the United States and certainly an ally in the struggle to push back against Russian aggression, I counseled them to stay out of U.S. politics.

MR. RATCLIFFE: So after this July 25th phone call, how many of those conversations did you have and with what Ukrainian officials?

LT. COL. VINDMAN: So after the July 25th phone call, it was an extremely busy week. I know I didn't speak to any of the Ukrainians that week. I believe in order -- just for good housekeeping -- I was getting ready to go on vacation. I went on vacation -- I was supposed to go on vacation from the 3rd through the 18th of July. That didn't happen. I got called back early.

And I believe, in terms of good housekeeping, there was probably a conversation with the Ukrainians. My recollection is, best recollection is about the 31st of July. It's the middle of that week right before I went on vacation, you know, we had a conversation.

MR. RATCLIFFE: Okay. Who's "we"?

LT. COL. VINDMAN: It would be my standard counterpart, which would be the Deputy Chief of Mission for Ukraine.

MR. RATCLIFFE: And who is that?

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LT. COL. VINDMAN: Oksana Shulyar. It's in the record, Congressman.

MR. RATCLIFFE: Okay. And were you having that conversation in the course of your responsibilities and duties at the NSC?

LT. COL. VINDMAN: Absolutely.

MR. RATCLIFFE: All right. And you had authority to have those conversations?

LT. COL. VINDMAN: Absolutely.

MR. RATCLIFFE: So you -- a week following you listening in on a phone call with the President of the United States making a request of the Ukrainian Government to assist in ongoing investigations, a member of his National Security Council subsequently told Ukrainian officials to do just the opposite and to ignore his request and stay out of U.S. politics. Is that what we're to understand from your testimony today?

LT. COL. VINDMAN: That's an interesting characterization, Congressman. I was certainly not going against the orders of my Commander in Chief. What I was suggesting is that very superficial -- or at the basic level, staying out of U.S. domestic politics is not a good idea.

Congressman, I apologize, do you think this is --

MR. RATCLIFFE: Let me ask the question.

LT. COL. VINDMAN: Congressman, do you think this is a good idea to get involved --

MR. SWALWELL: Let him finish.

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MR. RATCLIFFE: He has a lawyer here, President Swalwell.

LT. COL. VINDMAN: How could it possibly be a good idea --

MR. QUIGLEY: [Presiding.] Hold on, gentlemen. Gentlemen, let the witness finish answering this question.

LT. COL. VINDMAN: Congressman, how could it possibly be a good idea to counsel at my level -- I'm certainly not the President of the United States. The President of the United States has the authority to do this, I guess, I don't know. I didn't think it was right. And that is not a criticism against the President. I just don't know how -- a better way to put it, so I apologize.

But I, as a Director on the National Security Council, would certainly not counsel my counterpart to somehow involve themselves into U.S. domestic politics. You could take that as -- I mean, I guess you could twist that into some sort of specific --

MR. RATCLIFFE: I'm not trying to twist anything.

LT. COL. VINDMAN: I guess I misunderstood the question.

MR. VOLKOV: I object to that characterization. It's pretty obvious what you're trying to do, sir.

MR. RATCLIFFE: Let me ask the question.

MR. VOLKOV: I'm representing my witness here and this is my client. And for you to -- I mean, the insinuation -- if you guys want to go down this road, God be with you.

But I'm telling you it's so apparent that -- and it's so -- it's so cynical for you to go down such a road with such a -- with such an individual like this. If that's the game you guys want to play, go

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at it. Okay? But we're going to --

MR. RATCLIFFE: Let me ask my question, because what I heard --

MR. VOLKOV: You don't have a jury here, sir. You don't have the public here.

MR. RATCLIFFE: I understand that. I'm making a record.

MR. VOLKOV: And eventually you will and you can do it then.

MR. RATCLIFFE: I will.

MR. VOLKOV: Right now we're going to object.

MR. RATCLIFFE: Well, you can object, but I'm going to ask this question, because the witness just testified --

MR. VOLKOV: Well --

MR. RATCLIFFE: Are you going to let me ask a question, Mr. Volkov?

MR. VOLKOV: Yes, I will. Ask a proper question.

MR. RATCLIFFE: All right. Colonel Vindman, you have spent a lot of today talking about the fact that you reported to national security lead counsel that you thought there was something wrong with respect to the conversation between President Trump and President Zelensky, correct?

MR. VOLKOV: Asked and answered. How many times are we going to go through this? I'm asking the chair, how many times are we going to go through this? Are we going to go through this over and over and over again?

MR. RATCLIFFE: Do you have an answer?

MR. VOLKOV: Wait a minute. He hasn't had an instruction from

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the chair yet. Remember when you're in front of a judge, you wait for the judge.

MR. QUIGLEY: So the question has been asked and answered, the ruling of the chair.

MR. RATCLIFFE: All right.

Colonel Vindman, on July 25th, 2019, the President of the United States asked for the assistance of the Ukraine in connection with criminal investigation or investigations.

Your testimony a few minutes ago was that during the week of July 31, following that call, you advised Ukrainian officials to stay out of U.S. politics. Is that correct? I want an answer.

MR. VOLKOV: We've already been down this road.

MR. RATCLIFFE: No, you haven't.

MR. VOLKOV: I object.

MR. QUIGLEY: Just one second.

MR. CICILLINE: May I raise a point of inquiry or point of order?

MR. QUIGLEY: Hold that for a second. So I believe you asked the question in terms of it being criminal, and I'm not sure that was ever anywhere in the President's comments, that he said, I'm asking you to help in a criminal investigation.

The rest of the question has been asked and answered.

And the time is up.

MR. CASTOR: You guys got to give him a few more minutes after all the --

MR. QUIGLEY: No, I don't.

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We're going to take a 5-minute break, and by 5 minutes I mean 10 minutes.

[Recess.]

MR. QUIGLEY: We'll resume.

MR. GOLDMAN: All right. We're starting now.

BY MR. MR. GOLDMAN:

Q Colonel Vindman, you've testified a little bit today about some of Ukraine's history of problems, including corruption, right?

A Correct.

Q And one aspect of Ukrainian corruption historically was that the leaders of Ukraine would investigate their political rivals. Is that accurate?

A That is accurate.

Q And it was and is U.S. policy related to Ukraine to push Ukraine not to investigate their political rivals. Is that right?

A That is correct.

Q Because official U.S. policy believes that investigating your political rivals is corrupt activity. Is that correct?

A That is correct.

Q I want to go back to the May inauguration in Kyiv, and I have one question, because you indicated that President Zelensky had -- or that you had a conversation with President Zelensky at that point about U.S. domestic politics. And I think -- I believe you said that you told him that he should steer clear of U.S. domestic politics, right?

A That is correct.

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Q Did you have any sense of -- well, withdrawn.

Did he -- was he surprised when you said that, as if he had no idea of what you were talking about?

A No, he was not. I didn't believe he was.

Q So was it your understanding that he knew what you were talking about when you had that conversation?

A I don't know, but he did not look surprised.

Q And you had referenced that there were a number of press reports about these investigations to that point. Is that right?

A That is correct.

Q What was his reaction to you when you said that to him?

A I think he probably took it at face value. I'm the White House representative to the Presidential delegation, speaking on behalf of my leadership, National Security Council, and in the same voice, the senior White House rep. I think, frankly, he probably took that at face value and thought it was probably good counsel.

I also believe that the Ukrainians have been savvy in understanding the risks of partisan activity and have also tried to stay clear of any seemingly partisan activity.

Q In part, because there's pretty consistent bipartisan support for Ukraine here in the U.S. Is that right?

A That is correct.

Q Were you aware of a meeting that Fiona Hill had with Amos Hochstein?

A I am aware of the meeting and maybe just a very, very

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superficial readout of this meeting, yes.

Q And what was that superficial readout?

A So my understanding is that Amos, based on his activities and serving I think at the time -- I'm not sure if he's still in position -- on the board of Naftogaz, was, through his contacts, aware of efforts to do a couple things. One, as far as I recall, was facilitate or I guess that Mr. Giuliani was attempting to facilitate financial transactions, if I recall correctly.

And I just want to make sure I'm not combining a couple of different meetings. I think that's, frankly, it. I think he was -- he spoke to Fiona about the influence into financial transactions, business transactions. I also vaguely recall he may have been the person that identified Ambassador Sondland was also, you know, involved in this somehow.

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[2:50 p.m.]

BY MR. GOLDMAN:

Q Do you recall when this conversation between Mr. Hochstein and Dr. Hill was approximately?

A My best guess would probably be in the timeframe after Ambassador Yovanovitch left, so May timeframe, maybe as late as June.

Q And do you know whether he indicated to Dr. Hill that he had had a conversation with either President Zelensky or leading Ukrainian officials about Rudy Giuliani more broadly than Naftogaz or financial transactions?

A I don't recall.

Q When you returned from the inauguration, were you aware of an Oval Office meeting with the President on May 23 related to Ukraine?

A Yes.

Q Do you know how that meeting came about?

A So, on the night of the 21st of May, after a successful day of bilateral meetings, we had a discussion. The members of the Presidential delegation exchanged a number -- I'm aware of a conversation, and then we exchanged some emails in which we discussed the idea of providing the President a readout of what we assessed to be a very positive trip. And I said that I'd advance this notion through my chain of command and present a schedule proposal, and I was also told that Ambassador Sondland was going to reach directly to the chief of staff to schedule this meeting.

Q And was the meeting ultimately --

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A Yes.

Q -- scheduled?

A It was, for the 23rd.

Q Did your process to schedule it go through?

A It did not.

Q So how was the meeting ultimately scheduled?

A It was scheduled through their chief of staff's office.

Q Via Ambassador Sondland?

A Correct.

Q And who attended that meeting, to your knowledge?

A So it would have been -- I did not attend. It was attended by Secretary Perry; Kurt Volker, Ambassador Volker; Ambassador Sondland; Deputy National Security Advisor Dr. Charlie Kupperman represented the National Security Council; and I believe that Senator Johnson also attended that meeting.

Q So that was effectively everybody who went to the inauguration except for you?

A Correct.

Q Right?

And do you know why you were not included in that meeting?

A Dr. Hill told me that there was personal risk with me attending that meeting.

Q Did you ask her what that meant?

A I did. She explained that there was -- first of all, I'm a director of the National Security Council, so, you know, if there's

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a more senior person that can go to the meeting, that's fine. But I was told that there was a gentleman that was providing information, representing himself as director for Ukraine, and that I would be confused with this person.

Q Providing information to whom?

A That I don't know, but to folks in the White House.

Q And who is this person?

A It's a senior director on the National Security Council. She identified him as Kash Patel.

Q And did Kash Patel have anything to do with the Ukraine portfolio?

A He did not.

Q Did you learn anything else about what his involvement was in the Ukraine portfolio?

A I did not. I didn't really inquire. I just went about my business.

Q So, just to be clear, Dr. Hill explained that you might be confused for him?

A Yes. I don't understand the entire mechanics of this. All I know is that she said that there was somebody representing himself as the Ukraine director, and since I'm not the individual providing information directly to the White House, it would be -- there's risk in me going to the Oval Office. And I believe she came to this decision in conversation with Ambassador Bolton. She told me that she had discussed it with Ambassador Bolton. They thought that it was best

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I don't go.

Q And, just to be clear, other than the President of the United States, everybody else at that meeting knew that you're the director for Ukraine for the National Security Council, right?

A Yes. I, frankly, don't know who from the Chief of Staff's Office or who else was there outside of the Presidential delegation, so I doubt people in the exterior Oval would know who I am. But the people who were on the Presidential delegation, members of the National Security Council would know that, yes.

Q Was it your understanding that this confusion would rest with the President?

MR. VOLKOV: If you know.

LT. COL. VINDMAN: I mean, I guess, I don't know -- to the best of my knowledge, she just said that there was risk, and there was confusion because somebody was misrepresenting himself or representing himself as a Ukraine director, and there was risk involved, and I shouldn't go, and that was sufficient for me.

BY MR. GOLDMAN:

Q Did you ever come across Kash Patel again related to Ukraine matters?

A I know who he is. I know he's on staff. I've, frankly, not had any interactions with him, so it's not a conversation -- I don't recall any time I've actually had a conversation with him.

Q And did he -- he had nothing to do with Ukraine prior to that meeting, right, as far as you knew?

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A The only time I've heard his name come up in the context of Ukraine was just what Dr. Hill relayed to me in relation to this Presidential delegation debrief.

Q Did you get a readout of that May 23rd meeting?

A I did.

Q From whom?

A It went through from Dr. Kupperman, who represented the National Security Council, to my deputy senior director, John Erath. Dr. Hill was on travel at that point.

MR. SWALWELL: Can you spell that last name?

LT. COL. VINDMAN: E-r-a-t-h.

MR. SWALWELL: Thanks.

LT. COL. VINDMAN: And he had a conversation with Dr. Kupperman, who relayed to him basically how the meeting went.

BY MR. GOLDMAN:

Q Did Dr. Kupperman put that readout in writing, or was it an oral readout?

A I think it was an oral readout.

Q So what did Mr. Erath say to you about what occurred at that meeting?

A Counselor, I just would want to make sure it's clear that this is like Kupperman talking to Erath talking to me. So there's a couple steps in there, and it's, you know -- I'm just --

Q Don't worry about that. All we're interested in is what your understanding was as the policy director --

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A Sure.

Q -- for Ukraine coming out of a meeting related to Ukraine in the Oval Office.

A Okay. So the meeting didn't go superbly well. The President voiced deep skepticism on Ukraine and its ability to end corruption, that it was a corrupt state, and that they are not friendly towards him. The Ukrainians are not friendly towards President Trump and his administration -- this is what was recounted to me -- and that there was a serious reluctance to engage with the Ukrainians.

I also was told that the concerted efforts of the individuals that had a very positive view of President Zelensky and his team were able to influence the President to give the Ukrainians a chance, and that the leadership that was there was given kind of the mandate to make something happen within the next 90 days with a focal point on energy. And Secretary Perry basically got the marching orders to, you know, show some successes.

Q In the readout that you got thirdhand, was there any mention of Rudy Giuliani in this meeting?

A I don't believe so, not that I recall.

Q So, following this meeting, who took the lead on Ukraine policy for the U.S.?

A Following the meeting I think that Ambassador Sondland -- Kurt Volker was already heavily involved in managing the Ukraine -- helping the Ukrainians navigate their negotiations with the Russians, so, I mean, he had a consistent role, and Secretary Perry

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to make something happen in the energy sphere.

Q You testified earlier that you had some conversations with Kurt Volker about engaging with Rudy Giuliani. Do you recall that?

A I do.

Q Do you recall when the first conversation that you had with Ambassador Volker about Rudy Giuliani was?

A I don't. I think there were probably maybe two conversations at most, and I have the impression that they were later in the summer. I work with Ambassador Volker on a pretty regular basis in his role as the special representative for Ukraine negotiations, so it would not be atypical for me to see him certainly over the course of the summer, you know, some probably less than half a dozen times, but a sufficient amount of times.

Q Were you aware of whether anyone who was at that May 23rd meeting from the Presidential delegation had a conversation after that meeting with Rudy Giuliani about Ukraine?

A So I learned at some point that there was -- later in the summer that Ambassador Volker had some contact with Mr. Giuliani. My best recollection is, before he had actually engaged Mr. Giuliani, I vaguely recall a conversation in which I suggested that that's probably not a good idea, and it's possible that Dr. Hill said the same thing, but --

Q What did he say in response to that?

A I don't think he said anything. And then --

Q You don't recall when that conversation was more

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specifically?

A I don't.

Q But it was before he --

A It would have been --

Q -- before he reached out to Rudy Giuliani, whenever that was?

A Yes, it would have been before because, you know, certainly at some point it became known that he had contact with Mr. Giuliani.

Q Okay. And then, on May 29th, do you recall that there was a letter sent to President Zelensky from President Trump?

A Yes, I do.

Q What do you know about that letter and what went into sending it?

A So I think all the President's correspondence is confidential. Because it went to the Ukrainians, it wasn't classified, but it's still confidential and privileged. Is it okay if I talk about that?

Q Sorry, about what went into sending that letter?

A Well, I mean, I guess, if we're talking about the letter and any content in it, it's a privileged Presidential communication.

Q The letter is public.

A Oh, is the letter out now?

Q Yeah.

A Okay. I wasn't aware of that. All right. Sorry.

Okay. So I drafted the letter. I actually drafted it sometime the week of the 21st of -- the week prior to the 21st of May. And the

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idea would be that, you know, the head of the Presidential delegation would provide this letter to the President of Ukraine in lieu of the fact that the President is not there, and it was a very positive letter.

Q And what was the reaction to it from the President?

A Okay. So the President didn't sign the letter. It was submitted with sufficient time to get it through the process and actually have it available for the Presidential delegation to move with it. Even though it was a compressed timeline, it was there. My understanding is that it was with staff sec at the White House.

Q That's staff secretary?

A Staff secretary at the White House. And no action was taken on it until sometime after this debrief on April -- I'm sorry, on May 23rd. And then my understanding is that it was -- as part of the process of convincing the President it was worth engaging with the Ukrainians, he had signed the letter with the addition of a line at the end that offered an invitation to meet at the White House.

Q And did you have any conversations with Ukrainians about that letter following the letter up through July until the call?

A So, of course, in terms of my coordination role, I would let them know that there's a letter coming from -- the Ukrainians have the letter. It was from our President to the Ukrainian President. So I let them know that there's a letter coming.

And then, frankly, the way we did it -- we chose to do it was to empower Ambassador Taylor and give him some credibility by having him deliver the original hard copy to President Zelensky in their first

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meeting. So that's why I think it went out, you know. We may have even had it available a couple days before, but it went with him so he could travel with it and deliver it.

Q Let me rephrase the question to be a little more clear. So, from the date the letter was sent at the end of May until July 25, when you spoke to your Ukrainian counterparts in any way, how frequently did they raise the issue or idea of a White House meeting that was referenced in that letter?

A Every meeting.

Q And you said earlier today that that July 10th meeting was the first time that you were aware of a U.S. official conditioning that White House meeting on the investigations when Ambassador Sondland mentioned that. Is that right?

A That is correct.

Q So you had no conversations with Volker or Sondland or Kent or anyone in June, or Taylor or Dr. Hill, about any concerns that Mr. Giuliani's narratives, as you call them, were seeping into U.S. official representatives?

A So, Counselor, I did have concerns about the narrative seeping into the Ukrainians. I think the way I'd characterize it is, the first time I heard anybody articulate this scenario in which the Ukrainians would have to deliver an investigation in order to get a White House meeting, that became clear during the July 10th meeting. But before that, there was certainly concerns about, you know, Mr. Giuliani and the narrative that he was --

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Q So the conditionality wasn't clear until July 10th, but were you aware prior to July 10 that the Ukrainians were feeling pressure to initiate these investigations?

A Only from press reporting in that this was part of what Mr. Giuliani was saying publicly. You know, he was definitely calling for investigations and looking for the Ukrainians to be cooperative in providing the investigations.

Q And did you understand that at that point that President Trump's views on Ukraine were informed by Mr. Giuliani's at all?

[Discussion off the record.]

LT. COL. VINDMAN: Yeah. I don't know what the President was thinking. I know that he had a negative view of Ukraine, and I don't exactly know why.

BY MR. GOLDMAN:

Q Let me rephrase it. You obviously don't know, but did you hear anything from either Ambassador Bolton or Dr. Hill or Dr. Kupperman or any of the other interagency folks that you talked to about whether President Trump shared Mr. Giuliani's views?

A Yes, I think so.

Q Okay. And what was the upshot of that?

A So, I guess, even in the earlier March timeframe, when there were negative narratives emerging prior to, you know, the explicit involvement of Mr. Giuliani, the President was seeing some of the negative press and reacting to it.

I remember looking at, you know, tweets and things of that nature

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in which him or his family members said something negative about Ambassador Yovanovitch. So I was aware of the fact that this other narrative was reverberating through, you know, senior leadership at the White House.

Q I'm going to move to the security assistance issue now. And when was the first time that you became aware that there was a hold placed on security assistance for Ukraine?

A Certainly by about July 3rd. It's possible I had some earlier indications in late June as the departments would alert me to the fact that they were getting queries from the Office of Budget and Management, you know, asking questions that, in their view, you know, were abnormal or something of that nature. But by July 3rd, that's when I was concretely made aware of the fact that there was a hold placed by OMB.

Q What were the abnormal questions that you can recall?

A Something along the lines -- and, you know, some of this is, through hindsight, it becomes clearer, but at the time, there were questions about how much funding the Ukrainian Government was receiving, what kind of funding.

Initially, it seemed like the hold might just apply to foreign military financing, the \$115 million coming from State, and that it looked like the security assistance from -- the Ukraine security assistance initiative funding from DOD was going to be allowed to move forward, and then, ultimately, all security assistance was put on hold.

Q What happened on July 3rd that solidified this for you?

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A As I recall, I received a notice from State Department that their foreign military financing congressional notification was being held by OMB.

Q So explain what that means.

A So, as part of the process -- and I'm not a budget guy, but as part of the process, in order to obligate the funds, the departments and agencies have to clear congressional notification through the interagency, which I have a role in facilitating that potentially, and then, once it's cleared, that congressional notification moves through a process to the appropriate bodies within the Congress. And I was made aware that OMB had held up this congressional notification.

Q And did you understand why?

A I did not initially.

Q At that time, you did not understand why?

A Yes.

Q Did the State Department understand why?

A Yeah, I'm not sure I know. I don't think there was much clarity as to why it was being held up. And the reason I say that is because all of the work that we had done to that point was about expanding cooperation with Ukraine, ensuring that, you know, we were actually backing the new administration, providing adequate support.

We saw it as seizing the opportunity to work with a willing partner in the form of President Zelensky and his team and locking in the Euro-Atlantic orientation of Ukraine. So the consensus up until that point from the policy community was that we need to do more; we need

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to be more supportive; we need to make sure that their position is strengthened.

Q So the consensus of the entire interagency on Ukraine was that -- and, obviously, Congress, which passed the law -- was that the security assistance was a positive thing for U.S.-Ukraine relations?

A Sure. So I guess, to be a little bit clearer, we had gone through an interagency process to develop a plan to seize the opportunity of working with a Ukrainian Government. And the pillars of that plan were security cooperation, energy cooperation, and economic cooperation were the areas that we chose to focus. So, in going through this process, we firmly said that we need to do more in the security cooperation sphere, which included this whole military assistance piece.

Q Right. So military assistance was also -- military assistance for Ukraine was also part of official U.S. policy?

A Yes.

Q After July 3rd and -- between July 3rd and July 18th, what did you do related to security assistance, and what did you learn?

A So I think, over the course of that period, there was a short July 4th break or so that accounted for a couple days, but basically we were trying to get to the bottom of why this hold was in place, why OMB was applying this hold.

There were multiple memos that were transmitted from my directorate to Ambassador Bolton on, you know, keeping him abreast of this particular development. And I'm not sure of what actions he may

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have taken at his level, but we were keeping him informed about, you know, why this is important, what the costs were, and so forth. And there were probably quite a few memos that went forward in that regard and various notes.

Q Did you come to learn why -- during that period of time why the hold had been placed?

A So where it became quite apparent is in my sub-policy coordinating committee meeting on the 18th. I think I, frankly, probably had some idea before that because of my contacts, interactions throughout the interagency. So I probably had some sense, but it became crystal clear when OMB staffers reported that the hold came from the Chief of Staff's Office.

Q And was there a reason given at your --

A Yeah.

Q -- sub-PCC meeting on July 18?

A So initially it was unclear. Eventually it became the -- what I was told is to ensure that the assistance aligned with administration priorities was what was the reason.

Q What does that mean?

A I'm not sure, but that's what was communicated, to make sure that the assistance continues to align with the administration priorities.

Q Okay. But just to be clear, it was certainly an interagency priority for Ukraine policy to provide this security and military assistance, right?

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A Yes. And in this meeting on the 18th, there was absolute consensus from everybody present that we need to move forward, we need to figure out how to, I guess, you know, continue developing this topic through the interagency process. I did it at my level, elevating it to the PCC level, elevating it to inform policymakers of why this is important. That's what we did.

I mean, you know, if there is a direction, and there is, you know -- if there is a direction that we receive from higher, we'll implement it. But in this case, we had a consensus view that seek to inform that this was not the consensus view of the community and elevate that to the proper channels to inform leadership to potentially change that view or inform that view in a different direction.

Q So, following your sub-PCC meeting on the 18th, was there a PCC meeting on this topic?

A There was.

Q Did you attend that?

A Yes, I did.

Q And what occurred at that meeting?

A Same consensus view with, again, you know, OMB identifying that there was a hold in place.

Q And what was the do-out from that PCC meeting?

A It was agreed that the matter would be elevated to deputies, the deputies from all the departments and agencies, as quickly as possible to recommend a release of security assistance.

MR. SWALWELL: Mr. Goldman, can you -- I may not have heard. Can

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you remind me what PCC stands for?

LT. COL. VINDMAN: Policy Coordinating Committee.

MR. SWALWELL: Thanks.

LT. COL. VINDMAN: So I hold at my level sub-PCCs, Deputy Assistant Secretary level. PCCs are my boss, senior director with Assistant Secretaries. DCs are with the deputy of the National Security Council with his deputy counterparts within the interagency.

MR. SWALWELL: Thank you.

BY MR. GOLDMAN:

Q Going back to the July 18th meeting, your sub-PCC meeting, who announced that there was this hold on the Ukraine security assistance?

A I'm sorry. Which one?

Q July 18th, the one you ran.

A July 18. So staffers, my counterparts within OMB.

Q And do you recall who that was?

A Yes. There was -- ██████████ attended the meeting for OMB, ██████████. Frankly, another counterpart that I worked with on a regular basis, but I don't know if he -- I can't recall explicitly if he was there, but he was involved in the process, was a gentleman named ██████████.

I think there were a couple of other folks, but, frankly, you know, I don't know if I paid -- I spoke to my counterparts and maybe didn't pay attention to all the representation that was in OMB. I think there was probably one more person at least though.

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Q So, moving ahead, do you recall when the deputies committee meeting was?

A On the 26th of July.

Q Did you attend that?

A Yes.

Q And what occurred there?

A It was unanimous consensus on the approach that we had laid out in expanding engagement, the areas of cooperation that we wanted to focus on, and that this should be elevated to a PC as quickly as possible to release the hold on security assistance because we're talking about the end of July, and time these funds were set to expire September 30th, so there was an urgency to it.

Q And just so everyone understands, which agencies are represented at these either deputies committee meetings or the PCC meetings?

A The entire interagency.

Q Entire interagency.

A So, you know, the principal actors would be State Department, Defense, the Intelligence Communities, Treasury. The entire interagency is represented.

Q And it was unanimous consensus that the security assistance should be provided to Ukraine?

A Yes.

Q At either the PCC meeting or any of these three meetings you discussed, did anyone raise the concerns about the legality of the hold?

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A The matter was raised at various levels, all the way from the sub-PCC to the PCC and even at the deputy small group, on the 26th.

Q And what do you recall about that?

A So I'm not a legal expert, but there was a sufficient amount of -- a significant amount of work done to determine whether it was legal for OMB to be able to place this hold.

Q And was there a general view expressed?

A I think at the -- so my recollection in the sub-PCC was that the matter was raised; at the PCC, it was tasked for further development; and I think by the time it got to our DSG it was determined that, you know, there was a legal basis to hold.

Q So the DC meeting was on the 26th, and it was decided at that meeting -- was it decided at that meeting that there needs to be a principals meeting on this?

A That was what was recommended.

Q Do you know whether there was a further meeting on this though at the PCC level?

A At PC, there was not.

Q PCC.

A Oh, so there was a PCC on the 31st of July that covered some ground, including, you know, the departments and agencies indicating the urgency to release the security assistance funds, but there were also other topics that are not covered by this.

Q Just focusing on the security assistance, what was expressed about the urgency?

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A That the lack of security assistance would significantly undermine the message of support for Ukraine if it became -- if it was revealed, and that this would also signal to the Russians that they could potentially be more aggressive. Those were the views that were expressed by various members.

Q Colonel Vindman, did there come a time when you were involved in presenting this issue to the President and other principals?

A So I'm sorry. Could you be more specific?

Q Did there come a time after July 31st when you were involved in a process of trying to tee this issue up for the President and other principals?

A So, after I came back from vacation on the 12th, I was instructed, I think, probably on the 13th or 14th, to draft a Presidential decision memo for Ambassador Bolton to be able to take along with his principal counterparts to the President for a decision.

Q And what's a Presidential decision memo?

A It is a memo that lays out -- it ends with a recommendation, but it also has a discussion about why this is -- and I remember this one being relatively cursory, but it basically laid out the case of why we should be doing this.

It had the -- as one of the documents included, it had the consensus views from the entire deputies small group with their recommendations, and then it recommended that the security assistance be released.

Q And did Ambassador Bolton present this to the President, to

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your knowledge?

A So my understanding, the readout that I received is that, ultimately, it was presented to the President.

Q Do you know when?

A I believe there was travel, and it was when the President was outside of the White House and the principals, Ambassador Bolton, I want to say, the Secretary of Defense, and the Secretary of State were meeting with the President.

Q Where?

A I don't recall, but I believe it was not at the White House. There was some travel involved.

Q Do you know what the date was -- well, do you know the date of the memo?

A So the memo was produced on the 15th of August.

Q And do you know when the date of this meeting was?

A If somebody had a calendar, I think it was that Friday or the adjacent Friday to the 15th. So that might have been -- actually, I produced it on Thursday. If the 15th, if I recall correctly, was a Thursday, then Friday is when I was supposed to go to the President.

Q Okay. And who provided you a readout of the discussion with the President on the Presidential decision memo?

A I don't recall definitively, but I think, you know, because we kept having questions -- did the memo get presented? What was the readout? -- I believe, to the best of my recollection, it may have been John Erath that had some information as my senior -- that, in

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communication with the front office, he received this information.

Q Did you speak to Ambassador Bolton personally about this?

A I did not.

Q Okay. And what did you learn that occurred at the meeting between the President, and Ambassador Bolton, Secretary of State Pompeo, and Secretary of Defense Esper related to the Presidential decision memo that you drafted?

A So, frankly, there were some conflicting reports. At least one report suggested that the topic never came up, but another report suggested that it did come up and, you know, no decision was taken.

Q And what does that mean?

A That means that, amongst the various issues that were discussed, this was also raised, this issue of security assistance was also raised, and, I mean, the President didn't act on the recommendation.

Q And what was the recommendation?

A To release security assistance funding to Ukraine.

Q Okay. Now, at some point, did you come to understand that the security assistance to Ukraine was also conditioned on Ukraine initiating the investigations into the Bidens and the 2016 election?

A At the time, I did not believe -- I knew that the Ukrainians weren't really aware until sometime in the middle August timeframe, so, I guess, I didn't draw that conclusion at the time.

Q At the time of the Presidential decision memo?

A Yes.

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Q How about at a later time, did you come to understand that?

A Once the news broke of the security assistance funding, later in the August timeframe, that's when it seemed clear that it was also a point of pressure to -- you know, so -- this is my own personal assessment, so I don't really -- I can't speak definitively.

I guess, what I could relay is, once the news broke of security assistance funding being on hold, I started getting, you know, quite a few queries from the Ukrainians about this topic, security assistance -- about this topic, and they asked me, you know, is this true, what do we need to do, type of thing. So my impression is that they were under pressure.

Q And what did you respond to the Ukrainians?

A I don't recall, but I do recall that in an effort to preserve relationships, I think I said that there was a review ongoing, which was what we were -- you know, the talking point that we had, and that, you know, there's still time to be able to obligate the funds. It's a review. There's an ongoing review. I think that's what I recall saying.

Q Did you ever learn whether there was a reason provided why the President didn't sign off on releasing the aid at that meeting with the principals?

A No.

Q And you said earlier today, I believe, that you were aware of the Politico article but that you understood that there was -- that the Ukrainians knew before that Politico article came out. What was

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the basis for your understanding that?

A So there were what I would describe as light queries about anything -- you know, have I heard anything about security assistance being on hold, things of that nature, based on, again, you know, early reports, early leaks of security assistance being on hold. But I don't think it was substantive until after the news broke right around the time of the Warsaw summit when there was --

Q So there were some questions about it --

A Yeah.

Q -- but nothing definitive?

A Right.

Q And then one last question, you said that the talking point you got was that there was a review going on.

A Uh-huh.

Q Was that accurate? Were you aware of any review at all?

A The only review that I was aware of, as the director for Ukraine, was the review process that I had launched to inform the policymaking authorities that this was essential. That's the only review that I'm aware of, but there could very well have potentially been other reviews.

MR. GOLDMAN: All right. I believe our time is up. We'll yield to the minority.

MR. CASTOR: Mr. Stewart, I believe, had a question.

MR. STEWART: Thank you.

THE CHAIRMAN: I would suggest we have a break after the minority,

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but if you need a break now --

LT. COL. VINDMAN: I'm okay, Chairman.

THE CHAIRMAN: Okay. Forty-five minutes to the minority.

MR. STEWART: If you keep chugging that water there, you're going to need a break.

MR. VOLKOV: No, he has got his twin ready to come in, so --

MR. STEWART: Colonel, thanks for your service. As an Air Force guy, I know the Army guys are down in the trenches doing the hard work. So thank you for doing that.

I have a couple questions, and it won't take long, and these aren't gotcha questions at all. I'm just trying to understand your thinking and getting some insight into what was in your mind, what's in your mind now.

You say a couple things that I think are interesting in your opening statement, and we've talked about them a little bit. I want to dive into it a little further if we could. One of them is you talk about outside influencers. And when questioned on that, you described, I think, The Hill reporting.

LT. COL. VINDMAN: That was probably the earliest one, yes, Congressman.

MR. STEWART: Okay. And then I kind of lost you after that. Would you elaborate on what you mean by "outside influencers"?

LT. COL. VINDMAN: So when this became -- when this came on my radar was in the March timeframe when Hill -- when a reporter named Solomon wrote about this and started to identify sourcing --

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MR. STEWART: And I want to make this easier for you. I'm not asking for specifics. I'm just wondering, in general, are you talking about media?

LT. COL. VINDMAN: Yes, correct.

MR. STEWART: Okay. Anything else other than media?

LT. COL. VINDMAN: I can't recall any media or anything beyond media until it actually resulted in Ambassador Yovanovitch being recalled, and that would have been in the April timeframe, and, you know, the discussions that we had around why this was occurring.

MR. STEWART: So, when you say, "In the spring of 2019, I became aware of outside influencers," you're talking only about media?

LT. COL. VINDMAN: In the spring of 2019, so, initially, it was just in the form of media. But then, later on, it became, you know, again, when the Ambassador was recalled, that brought it into the policy process, and then there were some discussions on, you know, was the basis of these claims against Ambassador Yovanovitch, and I undertook the due diligence to understand the issues, the accusations that Mr. Lutsenko was making.

MR. STEWART: Okay. But, again, and I'm just trying to understand what you're saying. You're talking about media, but now you're saying it's the media and what else that would be outside influencers?

LT. COL. VINDMAN: So the outside influencers -- well, I guess, the outside influencers were, once Ambassador Yovanovitch was -- her name came up, I specifically recall tweets from government officials

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and --

MR. STEWART: Such as who? That's what I'm trying to get to, is who you consider to be outside influencers.

LT. COL. VINDMAN: Sorry, Congressman. This is just a very uncomfortable topic for me. I remember a tweet from the President's son that was very critical about Ambassador Yovanovitch, and that ended up getting quite a bit of traction.

MR. STEWART: So, by "outside," you mean anyone outside of USG?

LT. COL. VINDMAN: Maybe I didn't -- I don't quite understand.

MR. STEWART: By "outside," then you said Mr. Trump's son?

LT. COL. VINDMAN: Yes, these were outside of the U.S.

Government, correct.

MR. STEWART: So anyone outside of the U.S. Government is an outside influencer then?

LT. COL. VINDMAN: And that's the way I have it, yes.

MR. STEWART: And I'm asking, is that what you mean to say?

LT. COL. VINDMAN: Yes. Correct. Correct. I understand now.

MR. STEWART: Okay. So you don't have a problem with outside influencers?

LT. COL. VINDMAN: I don't necessarily -- I guess, I don't have an outside -- all I'm doing is identifying when we had these -- it became apparent that there were less necessarily outside, because initially it started off with media, and then it became quasi-outside because it was -- then you had the Giuliani connection; the President's son was tweeting about this. So these are not irrelevant players

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anymore. It's not just a Hill reporter that's talking about it or Ukrainians. Ukrainians certainly would fall into that outside influencer category.

MR. STEWART: Because I think it would be hard to argue the President's son is outside. I mean, he's pretty involved here. And I'm just trying to understand, again, your frame of mind, because your frame of mind is important to me here to understand your motives and what drives you and what concerned you.

LT. COL. VINDMAN: Yes, Congressman.

MR. STEWART: And I'm not going to bore down on this forever, but I do want to understand it because I don't understand it yet. To you, outside influencers is anyone outside U.S. Government. And I'm asking, do you have a problem with someone outside the U.S. Government trying to influence the U.S. policy or decisionmaking?

LT. COL. VINDMAN: I don't think so, but the key element of influencer is that it has the effect of influencing.

MR. STEWART: Yeah.

LT. COL. VINDMAN: So, if it's, you know, an irrelevant party, you know, that doesn't carry any weight, then it's meaningless. But --

MR. STEWART: Who would be an example of an irrelevant party trying to influence --

LT. COL. VINDMAN: So, initially, if The Hill story didn't go anywhere, Mr. Solomon's Hill story didn't go anywhere, that would probably be not all that relevant.

MR. STEWART: So you maybe have some sympathy for those who are

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concerned about fake news. Would that be fair?

LT. COL. VINDMAN: I'm aware of the methodology employed by other powers to launch information operations to achieve a desired outcome.

MR. STEWART: Okay. And when you talk about false narrative, it concerns me as well, because I think there is opinion and there is fact. And I'll be honest with you, Colonel, I think you've stated some things as fact that I view as your opinion.

And you may have an opinion, and it may be an informed opinion, but it can't be stated categorically that you know this to be true and that every other option is untrue. And I'm concerned that you maybe have indicated that, and I'll allow you to correct me if you think I'm wrong.

LT. COL. VINDMAN: So --

MR. VOLKOV: Wait --

MR. STEWART: When you talk about, for example, that it was illegitimate to want to continue to investigate corruption, and you said that case had been closed or you were unaware of any legitimate concerns of corruption, that seems to me to be your opinion, and yet, you stated it as a false narrative as if it's either true or false, and you are telling us that it's false.

LT. COL. VINDMAN: So I think, in this case, as I mentioned, I attempted to do due diligence. Some of these items emerged before my time on the National Security Council. So I consulted with people that actually I considered to be authoritative to determine whether, you know, these narratives were truly false or if there was some underlying,

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you know, kernels of truth. And in describing it as a false narrative, I identified that there actually wasn't anything credible.

MR. STEWART: In your opinion, or are you stating categorically it is absolutely unequivocal that this is false?

LT. COL. VINDMAN: So, Congressman, I guess, I'm the director for Ukraine. I offer my judgments to my senior leadership.

MR. STEWART: Right.

LT. COL. VINDMAN: And my senior leadership view my judgments most the time as authoritative.

MR. STEWART: Okay. And I understand they're authoritative, and I've said to you these are informed opinions.

LT. COL. VINDMAN: I was just going to point out, and the way I develop these -- my own judgments and assessments is I take the consensus view; I coordinate the interagency to develop those views. So I consulted with -- if it's a gap, I don't really understand it, I will consult with the right people to determine, you know, what the facts are and then offer that as the kind of coordinated policy.

And in this case, in my due diligence to understand these matters, I made a conclusion that these were false narratives.

MR. STEWART: Okay. So I'm going to ask you one more time. Then I'm going to move on. Are you stating categorically here that you know for a fact and there is no other possible opinion that's viable on this that there was no reason to investigate Ukraine conspiracy or corruption because you have determined unequivocally that that is an illegitimate form of inquiry?

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LT. COL. VINDMAN: I don't think -- frankly, I cannot be that definitive.

MR. STEWART: Okay. Thank you.

LT. COL. VINDMAN: I cannot be that definitive because I also understand that there are multiple layers and that we're dealing with an imperfect state that's in transition, a country that has now made some significant commitments in the form of Ukraine to move forward.

I'm also aware of the fact that there are multiple agendas. Certainly, you know, I educated myself on some of these narratives about the 2016 interference and understand some of the players involved and that there could very well have been, you know, elements that were trying to advance their agenda. So it would be folly to try to be definitive.

MR. STEWART: Well --

LT. COL. VINDMAN: But to the best of my knowledge, I guess, I still stick to the fact that I think it was a false narrative.

MR. STEWART: Okay. And I appreciate that. And as someone who listens to counsel and advisers all the time, I've got to tell you, if someone came in and said, unequivocally, this is true or not, you know, I would be very skeptical of that on something as ambiguous as what we're talking about here.

If I could go on just very quickly, your July 25 phone call as well, there's just one point I think is fair to point out. And, you know, stating your words, you were concerned by the call: I did not think it was proper.

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And you said -- I think there were -- in the Situation Room, I think you said there were five or six other individuals with you on that call with you in that room? Is that true?

LT. COL. VINDMAN: I think I said five, if I recall properly.

MR. STEWART: Five. And I'm going to limit my questioning to just those five. I'm assuming that you knew them. You named them. You were able to recall and list their names. These are people you work with?

LT. COL. VINDMAN: Correct. Yes.

MR. STEWART: Would you say that you -- is there any reason at all that you would question the integrity of these other individuals in the room?

LT. COL. VINDMAN: No. Frankly, Congressman, I go back to my statement. My colleagues are all of them exceptional, and I value their opinion. And I'm not in any way questioning, you know, their competence or their intentions or anything of that nature.

MR. STEWART: No reason to question their integrity or their professionalism, is there? You respect them. Is that fair to say? You've said that.

LT. COL. VINDMAN: Correct.

MR. STEWART: And it's curious to me, and I really -- and I'll make my point. I mean, it's curious to me that none of them apparently shared your concerns. None of them went to the counsel. None of them took it, you know, to the level where they felt like they had to go express their concerns about it. Is that true or not true?

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MR. CICILLINE: Mr. Chairman, may I again ask the witness be reminded he does not need to accept the factual --

THE CHAIRMAN: Yeah. Many of us would dispute the --

MR. STEWART: The witness is not his counsel. He's free to answer any time he wants.

THE CHAIRMAN: But if you're asking the question --

MR. VOLKOV: Oh, I want him to answer it. I want him to answer it. I have no problem with him answering it.

MR. STEWART: There is nothing inappropriate about this question at all. I'm asking, did anyone else go to counsel --

MR. CICILLINE: But that's not what you asked. That wasn't your question.

THE CHAIRMAN: Yeah. I mean, the problem is when people represent facts that are not in fact true and ask the witness if they're aware of those facts --

MR. STEWART: Mr. Chairman, this was a perfectly legitimate question.

THE CHAIRMAN: Why don't you --

MR. STEWART: It was perfectly legitimate, and it had no intention of -- you said representing facts which are not facts. Let me ask the question. Quit interrupting us. Let me ask the questions, and let us --

MR. NUNES: Are you the inquisitor in every question, and we have to submit it to you before we ask it?

THE CHAIRMAN: Mr. Stewart, Mr. Stewart, Mr. Stewart, you

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represented that no one else had raised a concern.

MR. STEWART: I asked a question.

THE CHAIRMAN: Well, you represented it as a fact, Mr. Stewart. That's not accurate. It wasn't intentional. I will grant you, it's not intentional.

MR. NUNES: Mr. Chair --

THE CHAIRMAN: Mr. Stewart, Mr. Stewart, Mr. Stewart, you may ask your question again.

MR. STEWART: No. I'm going to ask the same stinking question, and I'm going to ask it the same way. You don't get to define the questions I ask. You don't get to define how I ask those questions.

The witness is standing there. He's got counsel. They can discuss it themselves. You're not counsel for this witness. You don't get to decide what questions we ask and how we ask them.

THE CHAIRMAN: I can point out if you are asking the witness to confirm things of prior proceedings that are not factually accurate. Mr. Stewart, you may ask the question again. I'm not accusing you of sinister motive here, but why don't you ask your question again.

MR. STEWART: I'm going to ask the same question in the same way I just asked it. Are you aware of any one of those five who went to counsel and shared their concerns or any concerns they might have had about that?

LT. COL. VINDMAN: So I would answer it in this way then: I would say, first of all, I'm the director for Ukraine. I'm responsible for Ukraine. I'm the most knowledgeable. I'm the authority for Ukraine

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for the National Security Council and the White House.

I understand all the nuances, the context and so forth surrounding these issues. I, on my judgment, went -- I expressed concerns within the chain of command, which I think to me, as a military officer, is completely appropriate. I exercise that chain of command.

MR. STEWART: I understand.

LT. COL. VINDMAN: I'm sorry, Congressman. And I also am not aware of what other actions were taken. I did not take a poll of other folks in the room, nor did I try to figure out who else may have been in the orbit that listened to it and what actions they took. I could only speak for myself and my actions.

MR. STEWART: So let me ask the question again. Are you aware of any one of those five who went and expressed any concern to counsel about this phone call?

MR. VOLKOV: Okay. And I'm going to object here. I mean, he's already answered it.

MR. STEWART: No, he didn't answer that.

MR. VOLKOV: He said he knows he went -- he doesn't know what anybody else in the universe --

MR. STEWART: That's right. He doesn't know if they did or didn't. I'm asking, can he affirm that --

MR. VOLKOV: And what I'm saying to you is, I'm not going to sit here and listen to asked and answered, pound, pound, pound, pound, pound. It makes no sense, you guys.

MR. STEWART: Okay. I'm going to ask the question one more time.

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MR. VOLKOV: And I'm going to object to it, and I'm going to ask the chair to sustain the objection.

MR. STEWART: Are you aware of anyone else who went to counsel --

MR. VOLKOV: He's already answered the question.

MR. STEWART: Okay. I'm going to say the answer is no then.

THE CHAIRMAN: Colonel, you have answered the question already.

MR. STEWART: Okay. So I will conclude now.

THE CHAIRMAN: It is up to you whether you want to answer it again, but I leave it to you.

LT. COL. VINDMAN: It's in the record. I'll just say that I can only speak --

MR. STEWART: It's a yes-or-no question. Are you aware of anyone --

MR. VOLKOV: Excuse me, can the witness be allowed to answer the question?

THE CHAIRMAN: Please allow the witness to answer the question.

LT. COL. VINDMAN: It's not a yes-or-no question, Congressman. It's a question on whether I'm aware of other people. The answer is I am not aware, but I also do not know if other people took a similar action.

MR. STEWART: Okay. That's fair. But what I was trying to get was are you aware of anyone, and you just said no. Thank you.

These are people that you respect.

MR. VOLKOV: Is that a question or not?

MS. STEFANIK: It's our time.

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MR. STEWART: Excuse me.

MR. VOLKOV: Excuse me. I'm sorry. It's got to be in the form of a question. If you want to make a speech, we can do that some other time.

MS. STEFANIK: It's our time. We control the time.

MR. STEWART: Excuse me. Excuse me, this is our time, counsel.

MR. VOLKOV: Ask a question.

MR. STEWART: I will do what I want with my time, and I will set up the question how I choose to set up the question.

MR. VOLKOV: That's fine.

MR. STEWART: You don't need to come in here and lecture us on how I will ask my questions.

MR. VOLKOV: I'm going to represent my client.

MR. STEWART: Represent your client.

MR. VOLKOV: And you're not just going to run over my client. I'm sorry.

MR. STEWART: Then talk to you client and say -- you're free to talk to your client and say: Don't answer that question.

What you're not free to do is to tell me how I can phrase a question to your client. If you don't like that question, advise him not to answer.

MR. VOLKOV: I'm going to object because it's not properly phrased.

MR. STEWART: Then go ahead and object. And by the way, Mr. Chairman, this should not be counted against our time.

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Okay. You have said that these were people that you respected. You have said that there's no reason to think that they were unethical or unprofessional in any way. Do you have a possible explanation for why they didn't go to counsel and share those concerns?

LT. COL. VINDMAN: I don't know that.

MR. VOLKOV: I'm going to object.

THE CHAIRMAN: Again, this is assuming facts that the witness has said he is not aware of whether or who might else --

MR. STEWART: He said he didn't think they did.

MR. VOLKOV: We're not going to get into speculation, and I'm going to advise him --

MR. STEWART: -- yes, he did say that.

MR. VOLKOV: If you want a metaphysical answer, Mr. Chairman, we'll try to do our best.

MR. STEWART: Mr. Chairman?

THE CHAIRMAN: Mr. Stewart, why don't you try asking the question again?

MR. STEWART: Mr. Chairman, I would like you to remind your members that this is our time and that we are asking the questions. You're free to respond if you want, but you should do it in a more respectful way. And if we laughed at you --

MRS. DEMINGS: You mention respect. Why don't you try showing some to this witness who is here today?

MR. STEWART: Colonel, do you feel I've been disrespectful to you?

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MR. VOLKOV: I'm going to intervene. Look, if you guys want to have your spat, we'll step out, okay, and you can spat it out.

MR. STEWART: Okay. I think I made my point. Unfortunately, it took much longer than I hoped it would. And that is this, that these other individuals on the phone call did not share the same concern.

I yield back to --

MR. VOLKOV: Is that a question or a statement?

MR. STEWART: That's a statement. I'll yield back to our counsel.

MR. VOLKOV: Okay. We're not answering that.

MR. JORDAN: Steve Castor.

MR. STEWART: Devin, did you want to say something?

MR. NUNES: No. Steve is going.

BY MR. CASTOR:

Q What do you know about Zlochevsky, the oligarch that controls Burisma?

A I frankly don't know a huge amount.

Q Are you aware that he's a former Minister of Ecology?

A I'm not.

Q Are you aware of any of the investigations the company has been involved with over the last several years?

A I am aware that Burisma does have questionable business dealings. That's part of its track record, yes.

Q Okay. And what questionable business dealings are you aware of?

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A I think that's more of kind of a generalization. I'm just aware that it had questionable business dealings, and they were known for that fact.

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[3:50 p.m.]

BY MR. CASTOR:

Q Okay. Do you know if they've been involved in misappropriation of energy licenses?

A I don't know. I don't think I could say that. But I think the general -- the general answer is I think they have had questionable business dealings.

Q So money laundering, tax evasion, if they were subject to those investigations, that would comport with your understanding of the company?

A That would my comport with my understanding of how business is done in Ukraine.

Q Okay. In 2014, they undertook an initiative to bring in some additional folks for their board, are you aware of some of the folks they added to their board in 2014?

A The only individual I'm aware of, again, after, you know, as it's been reported in the press is Mr. Hunter Biden.

Q Okay. And did you check with any of your authoritative sources in government to learn a little bit more about these issues?

A I did not.

Q Okay. Even when the narrative started to creep in?

A I did not. I didn't think it was appropriate. He was a U.S. citizen, and I wasn't going to ask questions. Frankly, that falls into the law enforcement sphere. I was not going to go and ask about -- if there was a question about Burisma, I would -- I inquired about it and

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determined that they had a problematic history, but I did not inquire about a U.S. citizen.

Q Okay. What other inquiries did you make with authoritative sources regarding Burisma?

A I think once I drew my conclusion of the company, I moved on.

Q Okay. What exactly did you do, though, with your authoritative sources to evaluate what was going on with Burisma?

A I spoke with to my interagency colleagues that were more knowledgeable about this company and asked them for their views, they shared them, I incorporated them into my own personal assessment, and that's it.

Q Okay. So just a couple telephone calls?

A Whatever the format of exchange was, I don't recall.

Q Telephone calls, emails, that type of thing?

A Something like that, yeah.

Q Okay. If there was an allegation of wrongdoing by Burisma board directors, that would be something that the Ukrainians could look into, right?

A I think so. They're a sovereign state, they can choose to do that, yes.

Q So if there's an American that is operating in Ukraine as a businessman and they are accused of wrongdoing, the Ukrainians can investigate that?

A Americans are not immune from criminal activity just because

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they're Americans overseas. So, yes, if there's a criminal activity, they should, yeah.

Q Okay. And do you have any knowledge as to why Hunter Biden was asked to join the board?

A I do not.

Q Did you check with any of our authoritative sources whether he was a corporate governance expert or --

A Like I said, I didn't -- he's an American citizen. Certainly there is domestic political overtones. I did not think that was appropriate for me to start looking into this particular --

Q Okay.

A I drew my conclusions on Burisma and I moved on.

Q Okay. I mean, is it reasonable to say if this company is subject to corruption allegations that perhaps they would want to add to their board people that might help protect them?

A Is it reasonable to believe that? I guess so, but I'm not aware -- I just don't have -- I don't know that that's the case. I can't draw any conclusions to that regard. But is it reasonable? Yes, of course, a company would want to try to legitimize itself or something of that nature.

Q Okay. And in your discussions with our authoritative sources did you get any information that led you to believe Burisma added Biden to the board because his dad was the Vice President?

A The answer is no, but I wouldn't be surprised if they attempted to do that to, again, legitimize themselves. That seems in

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line with the way some of these companies operate.

Q Okay. And if they did do that because they wanted to protect themselves and they wanted to maybe give themselves some cover for engaging in further corruption, that would be something that would be worthwhile to investigate?

A I guess --

Q By the Ukrainians?

A Maybe what's appropriate here is that in my effort to understand this narrative as it unfolded, I also asked my authoritative sources on, you know, whether they were aware of active investigations into Burisma, that seemed to be the most material element. Was there an active investigation? And what I was told is that there was not.

Q Okay. But you would agree that if Ukrainians acting with bad intent decided to add certain folks to their board to protect themselves, to allow themselves to continue to operate in a corrupt manner, that might be something worth investigating if those facts came to light, not the board members, but the Ukrainians and the Burisma officials?

A Yeah. I think in the course of enforcing the rule of law, that's what we're encouraging the Ukrainians to do is enforce the rule of law and identify, expose, end corruption.

Q Okay. The Ambassador, the Ukrainian Ambassador to the U.S. Chaly into the 2016 time period when President Trump was then candidate Trump?

A Right.

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Q He was outspoken in opposition to candidate Trump. Is that correct?

A I'm not sure if I would characterize it that way. I guess I became aware of the fact that -- at least some reporting seems to indicate that he spoke out potentially against the President, but this preceded my service there, so again, it was just in the form of understanding the various factors. I did, I guess, see in reporting that he did -- he was critical or may have been critical.

Q Okay. Are you aware that he wrote an op-ed?

A I'm aware of that fact now, yes.

Q Okay. And in the op-ed he was critical of then candidate Trump?

A Yes, but actually I do recall this incident even though I wasn't focused on the issue. My understanding was, you know, that he was critical of a statement by the President in which, if I recall correctly, there was a proposal by candidate Trump to, I guess, turn Ukraine -- Crimea back over to -- or I guess grant -- maybe this is a better way of putting it, grant Crimea to Russia.

Q Is it unusual for a sitting U.S. Ambassador to be critical of a candidate in a major U.S. election?

A I don't know if it's unusual, I think it's ill-advised, frankly, because it's part of this whole idea of interfering in domestic matters of a foreign state. It just seems ill-advised because you don't know how the election is going to turn out, certainly, in a free and fair election. And you're undercutting your ability to be able

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to engage with that particular leader.

Q Okay. So if the President was aware of that op-ed he might feel like there's at least one element of the official Ukrainian Government that's not supportive of him?

A It seems reasonable.

Q Are you familiar with a Minister of Internal Affairs named Arsen Avakov?

A I am.

Q And what you do know about Mr. Avakov?

A He is a key power player in Ukraine. He's a survivor. He's managed to -- when other ministers -- this is a clean slate with Zelensky's government, a clean slate in terms of, you know, parliamentarians from his party, a clean state with regard to ministers, he's managed to survive because of the power that he's managed to concentrate in his control over the Ministry of the Interior and interior troops, as well as actually paramilitary forces.

Q And he's one of the unusual Ukrainian officials that was able to stay on after the Poroshenko election?

A True.

Q Are you aware of any negative comments Minister Avakov said about the President, then candidate Trump?

A I'm not aware.

Q Okay. You know, it's been on Twitter, he said some negative things, called the candidate a clown. Are you familiar with that?

A I have become aware through reporting of that, but I wasn't

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aware at the time or this kind of history, frankly.

Q I think there was a Facebook post where he used the terminology, you know, misfit, in regard to then candidate Trump. Is that something that you might also lump in the category that you said with Ambassador Chaly was ill-advised?

A I would definitely lump it into that category, yes.

Q Okay. So, you know, from President Trump's perspective, he's got a very powerful minister, a very influential minister, a very influential Ambassador, probably the most influential of all the Ambassadors in Ukraine, the one to the U.S., right?

A Right.

Q Those were two key people who were against his candidacy?

A So -- yes.

Q What do you know about the Ukrainian parliamentarian Serhiy Leshchenko?

A I know that he was a reporter -- an investigative reporter before he joined President Poroshenko's party and became a parliamentarian.

Q Are you aware of his role in revealing facts relating to the Paul Manafort matter?

A I became aware of those facts, again, as this narrative unfolded. I became aware of, I guess, how should I put this -- I don't know if I would call him authoritative, but I guess I was aware of the fact that this was in the reporting stream, that he played a role in it.

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Q That he played a role in publicizing --

A I would also say that when I inquired about Mr. Leshchenko, I received generally positive assessments of him. That he was a reformer, patriot, attempting to advance Ukrainian interests. So, I mean, these are broad characterizations, but I can't focus on every single personality, and I use these from authoritative sources to determine, you know, who are the relative factors and how they might fit into the, I guess, landscape.

Q Okay. But you're aware that Leshchenko had a role in publicizing Manafort's Ukraine dealings, right?

A Yes.

Q And as candidate Trump is progressing during 2016, that is certainly another element that might give him pause with the Ukrainian Government establishment?

A I could see that. I guess, frankly, I'm a Russia expert and, you know, what a couple of actors in Ukraine might do in order to tip the scales in one direction or another is very different -- and I'm not categorizing anything about how the outcome, I'm talking about -- I'm deeply aware of what the Russians did to interfere in U.S. elections, and we're talking about a completely different scale of interference.

Q I'm not trying to make comparisons, I'm just trying to walk through, you know, these elements that might give rise to the President of having concerns about, you know, certain elements of the Ukrainian Government?

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A Okay.

Q So you can understand that the President might rightly have these concerns?

A The reason I'm having a hard time with this questioning is, the Russians did far more interference.

Q Just separating from the Russians.

A Yeah. Yeah.

Q You know, we got Chaly, the Ambassador to the U.S., we got Avakov, we got Leshchenko.

A Okay.

Q You know, all government officials all doing outward activities to try to, you know, advocate for the defeat, at least, of then candidate Trump.

A Okay.

Q So you can understand why the President might -- the now President might have some concerns about elements of the Ukrainian Government as being against him in 2016?

A Yeah, I think it's speculation, but I think those are reasonable conclusions.

Q Okay. When you got the read-out of the 5/23 meeting from Volker, Sondland, Kupperman, what was the word communicated from the briefing party about how the President felt about Ukraine?

A He had negative views.

Q Okay. And what were those negative views about?

A He had negative views about corruption.

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Q Did he also have negative views that they were out to get him?

A I believe so, yes.

Q Okay. Are you familiar with [REDACTED], she's an Ukrainian American. She's been involved with the Democratic National Committee?

A Just from press reporting.

Q So you never met [REDACTED]?

A Not as far as I know.

Q Okay. And do you know anything about her efforts to work with the embassy to promote, you know, negative narratives about then candidate Trump?

A I guess I'm assuming that you're talking about the Ukrainian Embassy in Washington?

Q Yes.

A I don't know anything about her efforts, just what is in the press reporting.

Q Okay.

A But, you know, I think it's also appropriate to see -- some of this might go into -- I don't know if I can get into some of this. In looking into, you know, where some of these narratives emerged, it's unclear whether these are in fact fake news or substantive, and what other parties may have been advancing of these narratives.

Q Okay. Well, we know Chaly wrote the op-ed, right?

A Right.

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Q We know Avakov had a number of social media posts?

A Yes, we do know --

Q So we know Leshchenko had a role in publishing and publicizing the Manafort role in Black Ledgers, right?

A I believe so.

Q None of that is fake news?

A I don't think so. I guess I'm not familiar with all the facts, but I think that's accurate, yes.

Q Okay. So the fake news component would be the [REDACTED] involvement with the Ukrainian Embassy in the U.S.?

A Yes.

Q Okay. Do you know somebody by the name of [REDACTED] [REDACTED]?

A The name doesn't ring a bell.

Q Okay. You mentioned -- we were sort of kicking through the roster of Ukrainian officials that you deal with on a regular basis, and you mentioned Ambassador Chaly at the time, he's since been recalled. Do you have communications with the new Ambassador?

A So there's no new Ambassador. There's a Charge d'affaires, and that's the name --

Q Andriy (ph)--

A Andriy (ph). I can't -- I know the guy, I met with him a few times. I just -- the name -- his last names escapes me at the moment.

Q No problem. And then Oksana Shulyar?

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A Yes.

Q Is she still the Deputy Chief of Mission?

A The last report I heard is that she might not be.

Q Okay. Who do you communicate currently on a day-to-day basis?

A Well, I don't -- I guess it wouldn't be day-to-day basis, but probably a weekly basis I communicate with the DCM, so that was previously Oksana and now it's Andriy (ph).

Q Okay. Any other Ukrainian officials?

A No, not on a regular basis. Those are the more common folks.

Q Okay. And about the issues in play that we're discussing here such as the call and some of the Volker, Sondland, Rudy Giuliani matters. Have you had any other discussions with Ukrainian officials that you haven't described outside of official delegations and so forth?

A Outside of -- I'm just actually thinking about whether there are even official delegations. Outside of official delegations, Ukrainians, I don't recall having any of these kinds of conversations.

Q Okay. So you don't have telephone calls or emails specifically with, you know, any other Ukrainian officials that you haven't identified?

A No.

Q Okay. You don't have any?

A Not to my knowledge, no.

Q You don't have any back channels with Yermak or one of

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Yermak's assistants or anything of that sort?

A No.

Q Or any other official close to Zelensky?

A No. The only official that, you know, I had a somewhat closer relationship, but again, it's just during his official visits would be Oleksandr Danylyuk.

Q Okay. And do you maintain regular communications with any other Ukrainians that are not part of the government?

A No.

Q So there's not outside advisors to the President that aren't officially part of the government that you connect with?

A No.

Q Okay. Do you know if President Zelensky has any outside advisors that not part of the government that help him govern?

A I don't know --

MR. VOLKOV: In the Ukraine or --

BY MR. CASTOR:

Q In the Ukraine.

A Nobody that -- I guess, I don't know what advisors you might have, but there is nobody I talked to.

Q That's the question.

A Yeah.

Q The hesitancy on the part of the National Security Council to set up the July call --

A Uh-huh.

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Q Could you just walk us through what the concern was prior to the call?

A I think it was -- the best that I understand, it was Ambassador Bolton, you know, Fiona and I probably also had some concerns about how the narrative was developing and that there was inherent risk in trying -- in terms of trying to organize a call.

And we were comfortable in certain ways that there was broad interagency consensus on the direction for Ukraine, how we need to work with Ukraine to advance U.S. national security interests, and that we probably -- there's a lot we can accomplish just in that channel. And there was potentially risks that -- the rapport that President Zelensky was trying to build, the ability to obtain a meeting, and develop a close bilateral relationship wasn't going to come to fruition.

Q Okay.

A So I think I could speak about that, but I understand that through -- from Ambassador Bolton to Dr. Hill, there were some similar type of concerns from Ambassador Bolton.

Q And as we understand it, there may have been a concern to postpone such a call until after the parliamentary elections. Is that consistent with your understanding?

A So there had been a push -- I mean, this was billed as a congratulatory call, so it was going to be on the heels of the parliamentary election -- maybe I'm misunderstanding your question because you --

Q Was there an effort to try to get the call scheduled by some

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factions prior to July 25th from Volker or Sondland or --

A Yes. So this is the idea of assisting President Zelensky with strengthening his position, moving into elections, again, reform, agenda, anticorruption, and his hand could be strengthened if he has this kind of engagement with the President.

Or frankly, or if they were able to pin down a date for a White House meeting. So that was the -- that was the idea, yeah.

Q Okay. I understand.

A And those folks were pushing for that.

MR. CASTOR: Okay. Mr. Ratcliffe needs some time here.

MR. RATCLIFFE: Colonel Vindman, I want to get clarification on the issue of security assistance because I'm not sure if I heard different things or not.

Ambassador Taylor, in response to questioning from me, stated his belief that Ukrainians first became aware of a possible hold on security assistance after the August 29th Politico article.

I wasn't in here when Mr. Castor asked you a question about that, and he related that he thought you believed that they knew earlier sometime in mid-August, but then I heard questioning from Mr. Goldman that I was here present for where you talked about light inquiries and Ukrainians saying to you, had I heard anything. I'm just trying to pin down. I'm not trying to trap you or trick you. I want to hear from you when you believe, based on personal knowledge, you believe the Ukrainians were first aware of the hold on military aid?

LT. COL. VINDMAN: Yes, Congressman. So to the best of my

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knowledge, the Ukrainians, first of all, are in general pretty sophisticated, they have their network of, you know, Ukrainian interest groups and so forth. They have bipartisan support in Congress. And certainly there are -- it was no secret, at least within government and official channels, that security assistance was on hold. And to the best of my recollection, I believe there were some of these light inquiries in the mid-August timeframe.

MR. RATCLIFFE: Okay.

LT. COL. VINDMAN: About security assistance. But this didn't become a big issue until --

MR. RATCLIFFE: But here's what I wanted clarification on that because I want to go back to the discussion that you and I had earlier about your opinion that there was a demand by President Trump to President Zelensky during that July 25th phone call to investigate a U.S. citizen.

And I just wanted to be clear, is it fair then that when you related that opinion that the withholding of military aid was clearly not part of the demand during that July 25th phone call?

LT. COL. VINDMAN: I don't think the Ukrainians were aware of it. So my understanding is this was all about getting the bilateral meeting.

MR. RATCLIFFE: Terrific. Thank you. One other thing I wanted to make sure -- I heard some testimony when I came in about Fiona Hill telling you that you might be confused with an individual named Kash Patel, and that Kash Patel had been misrepresenting himself as a Ukraine director. Did I hear that accurately?

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LT. COL. VINDMAN: Yes, Congressman. I will tell you that this whole episode was odd. I didn't, you know, this was a complete total revelation to me because when I showed up, you know, happy as a clam coming back from the Presidential delegation, and we had the meeting in the Oval Office, we thought it was an opportunity to kind of reboot the relationship, have a positive next step and develop a relationship.

So all of this that Dr. Hill relayed to me was something that I had not heard of before. I had, you know, this was kind of like -- what are you talking about? I didn't understand it.

MR. RATCLIFFE: Okay. And I understand -- I understand that a little bit better now. And I'm really trying to ask you about what Dr. Hill told you specifically. I'm trying to understand --

LT. COL. VINDMAN: Sure.

MR. RATCLIFFE: Misrepresenting himself as a Ukraine director to who?

LT. COL. VINDMAN: You know, I don't know. I think that the concern was that the President would believe that somebody that was representing himself as the Ukraine director that wasn't me, was meeting with him. Is that maybe a little bit difficult.

MR. RATCLIFFE: Yeah, it sounds like you and I are both not read into this completely. I'm just trying to make sure I understand what Dr. Hill related to you, and you've fully explained that, I think, as much as you can recall?

LT. COL. VINDMAN: I'm sorry, Congressman.

MR. RATCLIFFE: Yeah, I'm just asking. Have you fully related

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to me the details about what Dr. Hill said to you about Kash Patel as much as you can recall?

LT. COL. VINDMAN: I think so. I think so. And, frankly, he seems to be in high regard, he's been since promoted to senior director. At the time I knew him as a director.

MR. RATCLIFFE: Okay. And did you have any follow-up conversations with anyone about that?

LT. COL. VINDMAN: No.

MR. RATCLIFFE: Okay.

THE CHAIRMAN: The time of the gentleman has expired.

MR. RATCLIFFE: I yield back.

THE CHAIRMAN: Why don't we take a 5 or 10 minute break and then we'll resume.

[Recess.]

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

I just have a few questions and then I'm going to hand it off to my colleagues.

The minority counsel asked you questions about the President's -- asked your views or speculation about the President's thoughts on things vis-à-vis Ukraine, and I think you were asked at one point about whether the President felt that Ukrainians were out to get him.

President Zelensky isn't out to get President Trump, is he?

LT. COL. VINDMAN: In my view, he is not.

THE CHAIRMAN: In fact, President Zelensky wants to have a good

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relationship with President Trump, doesn't he?

LT. COL. VINDMAN: That's correct.

THE CHAIRMAN: And in the first phone call between the two leaders made every effort to establish a good relationship with President Trump?

LT. COL. VINDMAN: Yes, and even in the second phone call he attempted to be very engaging and witty and humorous to try to build a relationship with him.

THE CHAIRMAN: And that was one of the hopes of the State Department and the National Security Council was that the two leaders would form a good relationship. Am I right?

LT. COL. VINDMAN: That is correct.

THE CHAIRMAN: You mentioned, and I don't want to get into anything classified here, but in the context of my colleagues on the minority asking you about these false narratives, you mentioned other parties have an interest in the advancing of false narratives. Is it fair to say that one of those other parties interested in advancing a false narrative about Ukraine is Russia?

LT. COL. VINDMAN: Absolutely.

THE CHAIRMAN: And Russia has a vigorous, as we saw in 2016, a vigorous information operation capability, do they not?

LT. COL. VINDMAN: Chairman, if I may, the Russians are in a state of war, and they will do everything they can to achieve their objectives, vis-à-vis Ukraine, which is, first of all, fracturing the relationship with the United States, as their biggest supporter, and

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then, therefore, increasing their influence and pulling Ukraine back into their orbit.

THE CHAIRMAN: And so it would serve Russian interests if false narratives were promulgated that would drive the President of the United States away from Ukraine?

LT. COL. VINDMAN: That is correct.

THE CHAIRMAN: In terms of -- let me ask you a couple things. From the perspective of Russia, are there many issues, many neighbors, of as great a significance to Russia as Ukraine?

LT. COL. VINDMAN: No. The single most important neighborhood Russia has is -- correction, from the former Soviet Union, China is obviously a critical neighbor, and they have to walk a fine line in their relationship with China. They're trying to balance with China against U.S. power and U.S. influence. But in terms of reestablishing Russia as a preeminent power, I think, frankly, paraphrasing Zbigniew Brzezinski, Russia with Ukraine is a power, Russia without Ukraine is a regional player.

THE CHAIRMAN: So the Russians have a paramount interest then in advancing false narratives through social media, throughout outside influencers through any means that they can to drive a wedge between the President of the United States and the Nation of Ukraine?

LT. COL. VINDMAN: They do have that interest, yes.

THE CHAIRMAN: And without getting into any specifics, have you seen Russian information operations in fact employed for that purpose?

LT. COL. VINDMAN: Yes.

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THE CHAIRMAN: Now, you mentioned that during mid-August you started to get light inquiries from Ukraine from the embassy about the aid. Was there a problem with the aid? Was there a hold up with the aid? Is that right.

LT. COL. VINDMAN: That is accurate.

THE CHAIRMAN: And that Ukraine is very sophisticated, they know how the Congress works, they know how the appropriation process works, and at some point in August they had reason to be concerned with the status of this vital military assistance?

LT. COL. VINDMAN: That is accurate. Correct.

THE CHAIRMAN: Now, let me turn to the July 25th phone call between the two Presidents. In that call, the foreign military financing, the two aid packages, were not explicitly brought up, but the Ukraine President did bring up a form of military support, that is the javelins, right?

LT. COL. VINDMAN: The Ukrainian President did bring that up, correct.

THE CHAIRMAN: And it was immediately thereafter that the President asked Zelensky for the favor?

LT. COL. VINDMAN: That is the correct sequence, yes.

THE CHAIRMAN: And it was certainly true by late July that the President understood that the aid to Ukraine had been suspended and withheld. At that point the President was aware because the President had a role in halting that assistance. Is that right?

LT. COL. VINDMAN: Could you say that one more time, Mr. Chairman?

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THE CHAIRMAN: At the time of the July 25th call, the President, one of those two parties would have been aware of the formal hold placed on the Ukraine funding because it was placed by the President through OMB?

LT. COL. VINDMAN: Correct.

THE CHAIRMAN: And if that hold persisted, the President would know eventually Ukraine was going to find out about that?

LT. COL. VINDMAN: That seems like a reasonable conclusion, Mr. Chairman.

THE CHAIRMAN: Now, the President asked for favors of the President of Ukraine. What does it mean to a foreign leader when the President of the United States asks them for a favor?

LT. COL. VINDMAN: So I characterize it in my statement, and I stand by, it was a demand that the Ukrainians deliver these investigations in order to get what they have been looking for, which is the presidential meeting.

THE CHAIRMAN: Okay. I'm going to yield to -- why don't we go down the line, if members have questions. Representative Sewell.

MS. SEWELL: No.

THE CHAIRMAN: Okay. Representative Swalwell.

MR. SWALWELL: Thank you, Chairman. And, Lieutenant Colonel, thank you for your service to our country and for being a part of today's proceedings. I want you to take us into the Situation Room on July 25 of this year, and tell me about the President's tone on the call. Can you describe that, because you can't get a sense of that from the call

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record?

LT. COL. VINDMAN: So, Congressman, I don't have an enormous amount of experience I guess, you know, listening to these types of private conversations. So I can't say how consistent it is or -- what I can say is that the tone was significantly different between the first phone call, the congratulatory call on the April 21st, and second phone call on July 25th.

MR. SWALWELL: Well, let me ask you about this about tone. Would you agree that with President Trump, it is obvious to the listener when he is reading, as opposed to when he is speaking with his own words? Do you understand the question?

LT. COL. VINDMAN: Yes, I do understand the question. I think -- yes, it seems that you can tell when he's reading versus when he's speaking in his own voice.

MR. SWALWELL: And on that July 25 call, were you able to interpret whether he was reading from a prepared statement or talking points, or whether you judged he was using his own words?

LT. COL. VINDMAN: This is my own opinion, and it's really -- you know, I'm not sure how valuable it is, but I think he was using his own voice.

MR. SWALWELL: That May congratulatory letter that you referenced, do you know if President Trump actually saw that letter?

LT. COL. VINDMAN: He signed it so he would have seen it.

MR. SWALWELL: When you say he signed it, did you see him sign it?

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LT. COL. VINDMAN: I did not.

MR. SWALWELL: Is it the practice of the White House to use auto pen? Do you know what that is?

LT. COL. VINDMAN: Yes, I do. I was told that he had signed it.

MR. SWALWELL: Okay. Who told you that he had signed it?

LT. COL. VINDMAN: I was just thinking through. It was relayed through our front office, referred to as upper suite that he had signed it, but, I mean, I'm not sure if that -- and I believe I recall something to the extent of, you know, changes -- the additional line was put into the letter about the meeting, and he signed it. I recall something to that extent.

MR. SWALWELL: In your interactions with your Ukrainian counterparts, did they ever convey to you what our assistance means to them as far as life and death?

LT. COL. VINDMAN: They did not.

MR. SWALWELL: Well, what did you understand our assistance means to them as far as just life and death in places like Donbas and other places where the Russians have invaded?

LT. COL. VINDMAN: Sure, Congressman. I mentioned this morning that the amount of aid that the U.S. provides and the kind of U.S. aid the U.S. provides is vital to Ukraine. It amounts to some 10 percent of their military expenditures roughly. And that amounts to, frankly a significant portion of actually their GDP.

U.S. aid would amount to a fairly significant portion of their GDP. And in order to undertake even the basic things like reforms,

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developing the kinds of skills that they need to more effectively defend themselves against Russian aggression, it was critical. And it's also important to realize that this ongoing war also has relatively frequent flare-ups. You know, some of them are along the line of contact, others are more relevant. The November 25th attack outside the Kerch Strait was considered a fairly significant escalation. And some of the assistance that was being provided was specifically to address critical shortfalls from maritime security, one of their weakest areas. If they had been spending a lot of resources to develop their land forces and so forth, this was an area that they desperately needed some assistance. So it was significant.

MR. SWALWELL: Today you talked about and used words about sense of duty and being a patriot, but also following the chain of command. As a military officer, are you obliged to carry out what you would perceive as an unlawful order?

LT. COL. VINDMAN: I am not.

MR. SWALWELL: And, finally, why are you here today? Others from the White House and the administration have defied lawful subpoenas, but here you sit in your uniform.

LT. COL. VINDMAN: So I'd say at the most basic level, I maintain that my actions of reporting through the chain of command, expressing my concerns to leadership, were appropriate, were in accordance with my training, were frankly my duty, and it's also out of respect, frankly, for this body of Congress, which is a coequal branch of government.

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I was subpoenaed to appear here. You know, absent a subpoena, I would believe I was operating under the President's guidance to not appear, but I was subpoenaed and I presented myself.

MR. SWALWELL: Thank you. Chairman, I yield back.

THE CHAIRMAN: Mr. Quigley.

MR. QUIGLEY: Thank you, Mr. Chairman. Colonel, thank you for your service. I hope that respect you mentioned isn't diminished too much. You were on the call and you have transcript in front of you. Five times in that transcript Mr. Giuliani's name is mentioned in an extraordinary way as the person the President seems to think is going to carry out his wishes here.

Before this time, and you only mentioned him briefly, you must have been curious about his role and what he was doing, and obviously, after this, what he was doing. Did anyone at any time every tell you what his role was? What he was doing as sort of a parallel government? Or did the Ukrainians ever ask you or tell you what they thought?

LT. COL. VINDMAN: The Ukrainians were certainly seeking to understand whether Mr. Giuliani had an official role, and if he was in an official role that would imply, you know, formal requests for assistance.

So I think they were looking for some clarity on that. I think also up until the call there were concerns about Mr. Giuliani and how he could be -- as a key influencer, could be undermining the consensus policy. But, frankly, up until that call, you know, in certain regards he was acting as a private citizen advancing his own interests to a

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certain extent. It wasn't until that call that it became, that he was pulled into kind of an official role.

MR. QUIGLEY: But at no time before then did anyone in State or in the military or anyone in the administration advise you, Mr. Giuliani is going to be working here, he's going to be doing A, B, or C?

LT. COL. VINDMAN: No.

MR. QUIGLEY: When you're done today, you're going back to Ukraine, correct?

LT. COL. VINDMAN: Yeah.

MR. QUIGLEY: I mean, back to your functions in Ukraine, I apologize.

LT. COL. VINDMAN: I appreciate the clarification.

MR. QUIGLEY: I meant back to the Ukraine functions.

LT. COL. VINDMAN: As I said --

MR. QUIGLEY: I'm sure you'd still be welcome there.

LT. COL. VINDMAN: Congressman, as I said, I believe I have something to contribute to advance U.S. national security interests. And I'm not sure if they're realistic, but I'm hopeful that I can continue to serve my Nation, serve the White House and advance our interests.

MR. VOLKOV: Just for the record, he is -- and he's quite modest, he was accepted into the War College beginning in July of next year. So his detail continues at the White House, supposedly, until July, and then after that he goes to the War College.

MR. QUIGLEY: So next July.

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MR. VOLKOV: Next July.

MR. QUIGLEY: He's he going to continue to work on -- your understanding, you're going to continue to work on Ukraine issues?

MR. VOLKOV: I expect it -- I expect he'll continue his job.

MR. QUIGLEY: And that has gone on, correct?

MR. VOLKOV: Correct.

MR. QUIGLEY: You've continued to maintain your function on Ukraine?

LT. COL. VINDMAN: I am. And to be completely accurate, Ukraine amounts to a portion of my portfolio. I'm also responsible for other elements of national security. I'm responsible for Ukraine, Moldova, Belarus, the Caucasus states, and --

MR. QUIGLEY: Finally, so --

LT. COL. VINDMAN: And Russia.

MR. QUIGLEY: In your responsibilities involving Ukraine, you're continuing to communicate with Ukrainians?

LT. COL. VINDMAN: If I needed to, yes, I would -- I wouldn't feel incumbered to communicate with the Ukrainians if there was a reason to do that for --

MR. QUIGLEY: Well, have you still communicated with them?

LT. COL. VINDMAN: I have, yes.

MR. QUIGLEY: Okay. And can you -- has their attitude changed toward us?

LT. COL. VINDMAN: I perceive that -- I perceive that that our relationship is damaged. I think as this process wears on, I think

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the relationship will continue to be damaged and undercut. It undercuts U.S. resolve to support Ukraine and certainly puts a question into their mind whether they, in fact, have U.S. support.

MR. QUIGLEY: A trust issue.

LT. COL. VINDMAN: Yeah, it's a trust issue, and we are their most important ally. So this is not -- this is not helpful in terms of advancing U.S. national security interests.

MR. QUIGLEY: Thanks again for your service.

THE CHAIRMAN: Mr. Malinowski.

MR. MALINOWSKI: Thank you. And thank you, Colonel, for your service and your patriotism. My mother brought me to the United States from Poland in the 1970s, and I ended up serving on the NSC staff myself, and here I am in Congress. I feel a very special kinship with you, and I want to thank you for being here.

MR. VOLKOV: Does that mean he has to run for Congress after this?

MR. MALINOWSKI: Yes. Just not in New Jersey, Seventh District, any time soon.

So I wanted to explore with you this theme of alleged Ukrainian interference in 2016, which has come up and was brought up by some of my Republican colleagues, and kind of take a couple of different pieces of it.

One of those pieces we actually have heard now, I think, in nine straight depositions, and that is this allegation concerning an op-ed that Ukrainian Ambassador Chaly published in August of 2016. And every single time this has been brought up, it has been presented to us as

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if somehow Ambassador Chaly condemned President Trump personally, interfered in our election, took sides in our election. We haven't actually looked at the op-ed and I've got it here and I'm going to pass it to you in a moment and ask that it be entered into the record. But let me just read a couple of details.

First of all, this was a response to a statement that -- yeah, if you could put it in the record. Do you have it there? Okay. Good.

MR. VOLKOV: I have it here. Is that okay?

MR. GOLDMAN: Go ahead.

[Majority Exhibit No. 2

Was marked for identification.]

MR. MALINOWSKI: This was a response to a statement that President Trump had made in an interview with George Stephanopoulos (ph) in which Stephanopoulos (ph) about reports that he might recognize Russian sovereignty over Crimea, to which candidate Trump responded: I mean going to take a look at it. And he added: The people of Crimea, from what I've heard, would rather be with Russia than where they were, and you have to look at that also.

In your judgment as a Ukraine expert, does it surprise you that the Ukrainian Government was concerned about that statement and might have wished to express themselves?

LT. COL. VINDMAN: No, it doesn't surprise me, Congressman. In fact, I don't believe that the population in Crimea was interested. The popularity of the pro-Russian party in Ukraine was somewhere on the order of 4 -- less than 5 percent. Other than that, there was just

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like the eastern portions of Ukraine, there was a heavy Russian speaking population, the minority ethnic Crimean Tatar population certainly didn't support it, and they're right now being opposed daily by the Russians.

And, in fact, I would say that except for a couple of areas, Sevastapol, which is the Black Sea fleet headquarters, which is heavily Russian with Russian retirees, I don't think that's accurate that the population was interested in --

MR. MALINOWSKI: Understood. Now, looking at the Ambassador's op-ed, if you look at the third paragraph on the first page. I'm just pointing to the places where he comments on candidate Trump. He wrote: Even if these comments are only speculative and do not really reflect a future foreign policy, they call for appeasement of an aggressor and support the violation of a sovereign country's territorial integrity.

Does it surprise you that a Ukrainian ambassador would state that view?

LT. COL. VINDMAN: Congressman, it would not.

MR. MALINOWSKI: It's actually consistent with the U.S. Government's view under the Trump administration in addition to under the previous administration?

LT. COL. VINDMAN: That is correct.

MR. MALINOWSKI: Is that correct? And I think the only other reference --

LT. COL. VINDMAN: But, Congressman, I understand that sometimes when politicians run for office, what they say when they're campaigning

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is not the same thing that --

MR. MALINOWSKI: Thankfully, yes, in this case.

MR. VOLKOV: He gets immunity. He gets immunity everybody. He gets immunity.

MR. MALINOWSKI: No, I applaud that. And I think the only other reference to then candidate Trump comes at the very end of the op-ed, I guess on page 3. He doesn't actually mention Trump by name, he just refers to these comments after talking about what Ukraine stands for. He writes: Neglecting or trading the cause of a Nation inspired by those values cemented by Americans in their fight for independence in civil rights would send a wrong message to the people of Ukraine and many others in the world who look to the U.S. to be a beacon of freedom and democracy.

Do you see this as interference in the U.S. election as we've currently come to understand that term?

LT. COL. VINDMAN: I don't think so. To me it seems like a policy dispute, and he was -- just looking at what we have here, he's respectfully disagreeing with, I guess, a particular candidate.

MR. MALINOWSKI: Kind of as if, you know, imagine now a hypothetical that somebody was running for President of Ukraine or Russia or France, and said that if they won they might recognize that California is part of Mexico because the United States stole it, and that they would, if elected, not recognize U.S. sovereignty over one of our States. Would it be strange for a U.S. Ambassador posted in that country to say, well, we might have a problem with that?

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LT. COL. VINDMAN: It would not.

MR. MALINOWSKI: So that's the op-ed. There are a couple of other examples that my Republican colleagues mentioned of alleged Ukrainian interference in 2016. There was a Facebook post by Ukrainian official that referenced candidate Trump in very insulting terms, and I think you agreed that that was inappropriate, as I think all of us would.

But would a Facebook post calling somebody a clown constitute election interference, as we've currently come to understand that term? I think you compared it to Russian interference.

LT. COL. VINDMAN: So in my relatively deep understanding of election interference, these are not open public displays. This is a much, much deeper insidious effort to undermine a foreign country's elections, falsify those elections, redirect those elections, completely different.

MR. MALINOWSKI: Understood. And then the third example related to --

MR. SWALWELL: Can you clarify when you say these, which country are you speaking about?

LT. COL. VINDMAN: Russian interference in U.S. elections.

MR. SWALWELL: Thank you.

MR. MALINOWSKI: The third example that we heard related to a Ukrainian anticorruption activist and parliamentarian who reportedly publicized some evidence against Paul Manafort. Are you aware that Paul Manafort was prosecuted by the Justice Department and convicted

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for acts of corruption related to his activities in Ukraine?

LT. COL. VINDMAN: Yes, Congressman.

MR. MALINOWSKI: Is it inappropriate for a Ukrainian anticorruption activist to publicize evidence of corruption by someone who we end up prosecuting successfully?

LT. COL. VINDMAN: I don't think so. And Mr. Leshchenko was also a -- prior to joining government he was an investigative journalist, so it seemed to be consistent with his professional background.

MR. MALINOWSKI: Investigated many people, this is just one case. Would this constitute election interference as we currently come to understand that term?

LT. COL. VINDMAN: In my view, I don't think it would.

MR. MALINOWSKI: Okay. So I guess this comes back to the ultimate question, which is that if these are the complaints, would it be appropriate for the U.S. Government, anybody speaking for the U.S. Government, to ask the Government of Ukraine to investigate this op-ed and its author, a social media post and its author, and an anticorruption campaigner who revealed information about Mr. Manafort for interfering in our elections?

I mean, investigate suggests using their prosecutorial powers to potentially criminally investigate people for these three actions. Does that strike you as appropriate? Would it be appropriate?

LT. COL. VINDMAN: I don't think it's appropriate, and I also, as my statement, I think it speaks for itself, I have deep concerns over -- or I had concerns over the call to investigate -- a call to

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a foreign power to investigate a U.S. citizen.

MR. MALINOWSKI: A U.S. citizen, right, which is a separate thing, which in this case -- okay.

And then, finally, imagine that President Trump came to you -- you're his, in effect, chief advisor on Ukraine, and said to you, you know, we really need to take on this issue of corruption in Ukraine. It's a huge problem in that country. Presumably you would welcome that sort of interest from the President of the United States?

LT. COL. VINDMAN: Definitely. And that was in fact in the talking points that were provided to reinforce efforts to root out corruption.

MR. MALINOWSKI: Understood. And if the President were to ask you, Colonel, give me your list, steps that the Ukrainian Government should be asked to take to root out corruption in their country, what would be the highlights of your list? How would you respond to that question?

LT. COL. VINDMAN: Sure. So, I guess, at a top of the list would be to reduce -- significantly reduce the influence of the oligarchs, it's a form of state capture where the oligarchs, a relatively small group of folks, have the bulk of control, political elites would not operate in accordance with the rule of law and target to extract rents or extract wealth, would target businesses, and target oppositions.

I mean, frankly, Congressman, there are a lot of problems all the way up. Everything from petty graft and the police collecting bribes, all the way out to institutional corruption. So there are a lot of

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things that need to happen. And, frankly, there are a lot of good templates for the Ukrainians to follow. The Poles, the Georgians have been successful in eliminating some of the more rampant forms of corruption.

So there are a lot of things we can do to help the Ukrainians. There are a number of programs and some of the funding that -- you know, there are a number of programs that are there to support efforts to end corruption.

MR. MALINOWSKI: I take it that --

THE CHAIRMAN: Mr. Malinowski, if I could just interrupt because I have to head to the floor. When you're concluded with the questions --

MR. MALINOWSKI: I mean, I'm basically done, so I'm happy to yield.

THE CHAIRMAN: Oh, I was just going to recognize because they have been able to be present for most of the day, Mr. Espailat next, Mr. Cicilline to follow, and then Mr. Welch and Mr. Allred.

MR. ESPAILLAT: Thank you, Chairman. Colonel, is this your first time on the Hill? Have you ever had the experience to come to the Hill or advise us or testify?

LT. COL. VINDMAN: Congressman, I've had the privilege of being up at the Hill once before, as I recall, in that case I was providing expert assessments of the way we were spending some funds in support of European deterrence, European reassurance and so forth. It was with a number of staffers.

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[5:05 p.m.]

MR. ESPAILLAT: But you weren't advised or encouraged back then not to show up here, correct?

LT. COL. VINDMAN: No. Maybe to a lack of judgment.

MR. ESPAILLAT: But you were -- were you encouraged, advised, or told not to come here?

LT. COL. VINDMAN: So, frankly, nobody approached me directly in my chain of command at the White House or other and told me to not come here, come here, or anything. The only, frankly, guidance I had on this was, you know, the letter that the White House counsel proffered about not cooperating and, you know, the instruction that I received from this -- these committees per subpoena.

MR. ESPAILLAT: So that letter instructed you not to come, but you felt compelled to be here before Congress, correct?

LT. COL. VINDMAN: I appear here, Congressman, pursuant to a subpoena.

MR. ESPAILLAT: Okay. Now, Ambassador Sondland was here before, and his testimony and his statement, on several occasions, he spoke about corruption, as you have, spoke about corruption in the Ukraine and that he felt that there were many companies in the Ukraine that were very corrupt.

Is that your view as well? Are there many companies in the Ukraine that are corrupt?

LT. COL. VINDMAN: Yes.

MR. ESPAILLAT: So it's not just Burisma that's corrupt or

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practices corruption, but there are many others that are involved in that type of corruption. Is that correct?

LT. COL. VINDMAN: That is very true, although that is improving under President Zelensky, and they are targeting certain areas to improve their business environment.

MR. ESPAILLAT: We're wrestling with the potential that perhaps Burisma was cherry-picked because the former Vice President's son was on their board. However, Ambassador Sondland stated that it wasn't until very late that he didn't know that Hunter Biden was part of the board of Burisma.

Do you know if Ambassador Sondland knew that Hunter Biden was a board member of Burisma?

LT. COL. VINDMAN: Congressman, I do not know what Congressman -- or what Ambassador Sondland knew about Burisma.

MR. ESPAILLAT: Do you know if he expressed particular interest in that particular company being investigated?

LT. COL. VINDMAN: I learned of this during the July 10th post-meeting, what I referred to as the Danylyuk bilateral meeting and then the post-meeting.

MR. ESPAILLAT: And when you became aware of these irregular practices and you went before your superiors to complain or make them aware that you felt uncomfortable about these irregular practices, who did you speak to exactly?

LT. COL. VINDMAN: Congressman, I'm not sure if you mean during the course of my military career, or do you mean specifically with

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regards to Ukraine and my service to the --

MR. ESPAILLAT: No, I mean following the July 10th meeting, right, leading up to the July 25th call, did you express concern to anybody besides the lead counsel at the NSC?

LT. COL. VINDMAN: I had conversation -- so through the, for official purposes, official chain of command, certainly the lead counsel, and then, frankly, my brother as the lead ethics official, and also my identical twin brother, although little brother, I also discussed it with him.

MR. ESPAILLAT: Have you ever felt compelled in the past to complain about any other interaction to any other --

LT. COL. VINDMAN: At the NSC, I have not. But I have also learned during the course of my career that I have been encouraged to speak up if I had concerns in general. I distinctly recall a -- in my previous position on the Joint Staff -- a general officer telling me that I have good instincts and, you know, to exercise judgment, but feel free to express your concerns.

MR. ESPAILLAT: So this was the first time that you ever did that at the NSC?

LT. COL. VINDMAN: At the NSC, the first time I took my concerns to I guess --

MR. ESPAILLAT: A superior.

LT. COL. VINDMAN: -- a superior would have been -- I mean, to be clear, I talked to Dr. Hill on a regular basis. I think we, all along, as this kind of influencer narrative was developing, we had

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discussed what we were seeing and, you know, tried to figure out what the best way to navigate this minefield was.

But in terms of like concrete items that I felt like I needed to talk to an authority figure or, you know, the lead legal official, that would have been the July -- following the July 10 meeting.

MR. ESPAILLAT: Thank you so much, Colonel. Thank you for your service.

I yield.

MR. SWALWELL: [Presiding.] The gentleman from Rhode Island is recognized.

MR. CICILLINE: Thank you, Mr. Chairman.

Lieutenant Colonel Vindman, thank you for your extraordinary service to our country and for your patriotism and for your testimony today.

I want to just focus for a moment on the context in which the phone call was made and the state of affairs between Ukraine, Russia, and the United States.

You described in your early testimony that the Ukrainians believed that they were at war with the Russians. Was that an accurate assessment by the Ukrainians?

LT. COL. VINDMAN: That is an accurate assessment.

MR. CICILLINE: In fact, they had stolen part of their country, and they were continuing to kill Ukrainians in the eastern part of the country, correct?

LT. COL. VINDMAN: That is correct. The Ukrainians have

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suffered over 13,000 killed.

MR. CICILLINE: And would you just -- you're familiar, of course, with the Russian military capability, generally?

LT. COL. VINDMAN: Yes.

MR. CICILLINE: And you are very familiar with Ukrainian military capability?

LT. COL. VINDMAN: I am very familiar with both the Russian and the Ukrainian military capability.

MR. CICILLINE: And how would you compare the two in July 2019?

LT. COL. VINDMAN: The Ukrainians are significantly more capable of defending themselves against the Russians -- that's, you know, that's a general assessment -- than they were at any other point in their history. And much of that is the result of the partnership with the U.S. and with other allies to help the Ukrainians develop interoperability and develop a capable force.

In terms of pure military disparity, the Russians are -- remain a much more capable military, and if they applied all their resources, they could crush the Ukrainian military.

MR. CICILLINE: And when you say the Ukrainians are more capable in that period of time than previously, how much of that is a result of U.S. military assistance?

LT. COL. VINDMAN: A significant portion of it, just because the United States has provided -- has, in fact, been the largest provider of military assistance, providing over \$1.5 billion in military assistance. The training, partnership training has been significant.

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And, to be fair, our allies also have contributed measurable -- made measurable contributions to help the Ukrainians.

MR. CICILLINE: So that would have only intensified the power, the leverage of withholding military assistance from the United States at the same time the President was requesting a favor from the new Ukrainian President.

LT. COL. VINDMAN: The Ukrainians need U.S. military assistance. I agree that the Ukrainians need it, and they would feel pressured to ensure that they received U.S. military assistance.

MR. CICILLINE: And, finally, Lieutenant Colonel, you heard a series of questions from Mr. Castor about specific things that were done by individuals, one a Facebook post, one an op-ed, and one I think a Twitter criticism. I think you've already said those don't constitute, in your mind, election interference in the way we've come to understand that, correct?

LT. COL. VINDMAN: Correct.

MR. CICILLINE: And does knowing about any of those three things in any way change the judgment or the conclusions you came to when you listened in on the telephone call and concluded that what you heard the President do was wrong, improper, troubling and disturbing?

LT. COL. VINDMAN: I stand by what I said in my statement. I was concerned and felt it warranted report -- it warranted me communicating my concerns to chain of command.

MR. CICILLINE: And you made the ethical and moral judgment, based on your oath of office, your training, to report your concerns

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to the NSC lead counsel. Is that correct?

LT. COL. VINDMAN: Correct.

MR. CICILLINE: The Nation thanks you for that.

And I yield back.

MR. SWALWELL: The gentleman from Vermont.

MR. WELCH: Thank you very much.

MR. SWALWELL: Can you use the microphone, Mr. Welch?

MR. WELCH: Thank you very much. I want to direct your attention to your statement when you're writing about the call. In it, in your third paragraph, this is page 5: I was concerned by the call. I did not think it was proper to demand that a foreign government investigate a U.S. citizen.

You chose the word "demand," and I'd ask you to elaborate on why it is you chose that word.

LT. COL. VINDMAN: I didn't maybe -- I didn't parse I guess the terminology all that clearly. I was, frankly, trying to get ready for this testimony and wanted to best articulate my views.

And, in total, looking at the transcript, that I saw it as this is a deliverable, this is what was required in order to get the meeting that the Ukrainians had been aggressively pushing for, had been trying to coordinate.

MR. WELCH: Then I understand you've been asked about this, so I won't continue on that. You were asked by Mr. Swalwell that you discerned I think an energetic tone in the President in this call that indicated this was his expression of what he wanted, not something he

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was just reading. Is that correct?

LT. COL. VINDMAN: Congressman, I guess I'm not sure if this could be -- if I could say that in a definitive manner. What I could say is the tone in the call on the 21st of April was very positive, in my assessment. The call, the tone of the call on July 25th was not. It was -- it was -- I'm struggling for the words, but it was not a positive call. It was dour. If I think about it some more, I could probably come up with some other adjectives, but it was just -- the difference between the calls was apparent.

MR. WELCH: You were listening in real time to this call along with President Zelensky when President Trump was speaking?

LT. COL. VINDMAN: Correct.

MR. WELCH: And was there any doubt in your mind as to what the President, our President, was asking for as a deliverable?

LT. COL. VINDMAN: There was no doubt.

MR. WELCH: Thank you.

I yield back.

MR. GOLDMAN: Thank you, Mr. Welch.

BY MR. GOLDMAN:

Q Colonel Vindman, you said earlier in this round, I think, that the July 25th call was the first time that you had -- you were aware that the President had specifically invoked Rudy Giuliani's name in the July 25th call. Is that right?

A I think that's right, yes.

Q But you were aware, obviously, before then from Mr.

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Giuliani's own public statements about what he wanted Ukraine to do, correct?

A That is correct.

Q And you were aware that two of the things that he wanted Ukraine to do after the Ambassador was removed, which was a third, was to investigate Joe Biden, Hunter Biden and Burisma, and then also investigate the 2016 election, right?

A That is correct.

Q So, when the President specifically referenced the Bidens and matters related to the 2016 election, that was very consistent with what Rudy Giuliani had been pushing to that point, correct?

A That is correct.

Q And so, even though you don't -- you were not present for conversations between Rudy Giuliani and President Trump, the request by President Trump on July 15th mirrored Rudy Giuliani's public statements on those two issues, right?

A Yes. July 25th, yes.

Q Sorry, that is correct. Okay.

And just to be clear, because I think there have been some aspersions cast about open source reporting or media reporting, when you were observing what was going on with Ukraine and in particular with Rudy Giuliani, you were observing Mr. Giuliani's own statements, correct?

A Correct.

Q Through the media?

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A Correct.

Q So this is not some sort of media spin thing. This is Rudy Giuliani saying these things himself?

A Correct.

MR. GOLDMAN: I think our time is up, and we will yield to the minority unless you need a break.

LT. COL. VINDMAN: I think we're okay.

MR. GOLDMAN: You're okay? Forty-five minutes to Mr. Castor.

BY MR. CASTOR:

Q When I was asking you some of these questions about Ukrainians making their opinions known publicly that they did not support candidate Trump, I just want to be clear that it's reasonable, don't you think, that the President was aware that some of these key Ukrainian players were -- you know, had expressed negative attitudes towards him?

A Counsel, I think that it is fair. And certainly, the influencers that we discussed here multiple times were feeding into that narrative.

Q So, even after the election was over, you know, whether you want to argue if that amounts to interference or interference of a significant degree, I think we know where certain folks come out on that question, but the President had a negative view of Ukrainian -- of some Ukrainian Government officials for those reasons, correct?

A That is correct.

Q And that made it difficult to reboot this relationship?

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A That is correct.

Q Okay. In the call record, this morning you identified one or two, I think it was two --

A Yes.

Q -- potential tweaks that you would have --

A Right.

Q -- you would have made or maybe you tried to make and didn't make it into the final version.

A Sure.

Q Were there any political appointees that you think intentionally overrode your edits, or do you think it was more of just in the normal course of things that it just didn't make its way in?

A So I do not think there was malicious intent or anything of that nature to cover anything up. I don't know definitively, but I don't think that's the case. And I think, in general, the people I work with try to do the right thing.

Q Okay. So, at the top of page 4, "if you can look into it," and then there's the ellipse, and you added that you suggested there are recordings --

A Yes.

Q -- of the misdeeds. I mean, I think the President was talking about Joe -- you know, the Vice President, former Vice President Biden had made sort of a swashbuckling speech about what he told the Ukrainians, you know, relating to Prosecutor General Shokin.

A I think you're referring to the same thing that the President

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was referring to, yes.

Q Okay. So that's the video he's referring to, the account former Vice President Biden has given about --

A Sure. I take it at face value, yes.

Q Okay. And then the only other tweak was the company to Burisma, that phrase?

A Yes. That's the only notable -- I mean, that's really the only notable one. There are a couple of other things, but yes.

Q Okay. But you don't think there was any malicious intent to specifically not add those edits?

A I don't think so.

Q Okay. So, otherwise, this record is complete and I think you used the term "very accurate"?

A Yes.

Q Okay. So, if we're trying to understand what happened on the call, this certainly is a very accurate record?

A Correct.

Q And you were on the call, so --

A Yes.

Q -- you're a good person to say that.

There's been some discussion a couple different -- at a couple different points today about whether, you know, when the President used the terminology "I'd like you to do us a favor" constitutes a demand. And, in your mind, it did.

A That's -- I continue to stand by what I said in the statement.

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It's just like when a superior talks to me and tells me he would like me to do something. I take that as, you know, an order.

Q Okay.

A So maybe that's as a result of my background, but I -- you know, it wasn't like, hey -- it didn't strike me as there was no cost associated with choosing not to fulfill that deliverable.

Q You know, as this transcript has been hotly picked over, can you understand that there might be other people that read this, whether it's supporters of the President or neutral parties, which there may not be a lot, you know, might come to the conclusion that the terminology and the utterances of the President on page 3 and then again on page 4 did not constitute a demand?

A I think there are many people with many different views, and some people certainly do believe that it may not have. The reason I stick to my assertion is because I've watched this unfold over the course of months. Initially, just, you know, again, influencers in more remote -- more remote influencers in the form of Lutsenko and reporters, then Mr. Giuliani, then more significant influencers. And it really all culminated in this July 25th phone call.

Q The President in the transcript uses some, you know, words of hedging from time to time. You know, on page 3, he says, "whatever you can do." He ends the first paragraph on page 3, "if that's possible." At the top of page 4, "if you could speak to him, that would be great." "So whatever you can do." Again, at the top of page 4, "if you can look into it."

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You know, is it reasonable to conclude that those words of hedging for some might, you know, lead people to conclude that the President wasn't trying to be demanding here?

A I think people want to hear, you know, what they have as already preconceived notions. I'd also maybe point your attention to "whatever you can do, it's very important that you do it if that's possible."

Q "If that's possible."

A Yeah. So I guess you can interpret it in different ways.

Q Okay. With the introduction of the Justice Department component to the call, is it conceivable that the President was, you know, referring the Ukrainians to Attorney General Barr for purposes of, you know, the MLATs or the Foreign Corrupt Practices Act?

A Certainly, yes.

Q And if he was trying to do that, would that have been an appropriate avenue to evaluate these issues?

A I think the -- that would very well significantly change the entire transcript if his attorney, personal attorney that was pedaling this alternative narrative and these investigations, wasn't in it and this was an official -- you know, this was a request through official channels, I think that would completely kind of change the whole nature of the conversation.

Q We --

A I think it would, frankly, still be troubling that, you know, the President called a foreign power to investigate a U.S. citizen,

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but I think, you know, it certainly wouldn't be the same thing as his personal attorney that had been peddling this other alternative narrative.

Q I mean, it was a U.S. citizen sitting on a board of a company in Ukraine.

A No, I'm referring to -- could you maybe clarify? I'm not sure what the followup there is.

Q Do you think the President was trying to get the Ukrainian Government to investigate former Vice President Joe Biden?

A Look, Congressman -- I mean, sorry, Counsel -- I'm used to saying "Congressman." It's all in the future.

I guess, look, it doesn't take a rocket scientist to see where the gain would be for the President in investigating the son of a political opponent.

Q Okay. But he had business dealings in Ukraine. I mean, the Vice President, nobody's -- I mean, the President is not accusing the Vice President of wrongdoing, is he?

A So, Counsel, if the son is -- and there are many -- I think it's been pointed out that there are many different corrupt entities. If the son of his chief, potentially chief, political opponent is investigated, then that does harm to his political opponent.

Q And you're quite certain that at no time did the President mean, you know, investigate Ukrainian misdeeds related to naming Hunter Biden to the board, which would be distinct from investigating Hunter

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Biden but at the same time could, if it came out in a clumsy fashion, come out as the Bidens?

A I don't know, Counsel. I would say that I guess I -- I don't know what was in the President's mind and if that was the intent. And, frankly, all I did was go through my chain of command and report to the lead legal counsel some concerns.

That could have been the end of it. You know, the legal counsel could have then followed up with White House legal and said, "Hey, this is -- this is the perception," or -- I'm not looking for accountability from the President, don't get me wrong. But this issue would have been addressed. But, unfortunately, that's not the way things unfolded. You know, this is now in the public space.

Q Okay. You know, if you were to come to learn that, you know, John Eisenberg looked at the call record and he didn't have concerns, would that change anything for you, the top lawyer at the National Security Council?

A Yeah, I think that would -- I think I, frankly, trust Mr. Eisenberg, and if he had followed up with me and said -- I mean, you know, I made my -- I guess I expressed my concerns. That was kind of the end of my actions. If he had followed up with me and said, "Hey, look, there's nothing here, this is just kind of a miscommunication," I don't think I would dismiss his views or his assessment.

Q Okay. Were you disappointed that he didn't follow up with you?

A No. I mean, no.

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Q And what if, like, the National Security Division officials from the Justice Department were engaged here to examine the call transcript, if they were called upon to look at this and they determined that there was no wrongdoing here, would that be influential for you?

A So, Counsel, I'm not -- you know, my judgment is almost irrelevant here. I just made a -- I forwarded my concerns through the chain of command, and the seniors then decide what actions to take. So I guess I am not sure I understand what -- you know, what the followup would --

Q Well, you know, if the head of the National Security Council, the top lawyer --

A Yeah.

Q -- if somebody, if some senior official at DOJ's National Security Division takes a look at the facts and comes back and decides that they don't see any issue here, you know, it may be inartful, but, you know, there's nothing improper or illegal, would that be influential, you know, for you to look at this through a different lens?

MR. VOLKOV: If I can, it's kind of -- it's a little bit of a difficult question. First off, he's not a lawyer. He is not -- you know, we're throwing around terms, National Security Division, DOJ. I mean, okay, so if I told him it was okay, what does that mean? He did what he did, and that's it.

MR. CASTOR: Okay, fair enough.

MR. VOLKOV: And the rest is so theoretical that it's not fair to him. He's not a lawyer. You can ask his twin brother; he's a

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lawyer.

LT. COL. VINDMAN: Don't. I'd rather not.

MR. VOLKOV: I already got him in trouble so --

BY MR. CASTOR:

Q I guess what I'm saying, though, is if somebody -- I mean, somebody like John Eisenberg has a lot of experience with these types of things. If he takes a look at the call record and determines that there's not an issue, I mean, that's a pretty definitive authoritative person to make that conclusion, right?

A I think that's significant. And certainly, you know, his judgment on whether it was criminal or not would be very persuasive, but I don't know if it would alleviate my kind of, you know, moral/ethical concerns.

Q Okay. Now, did you -- after you got done communicating to Eisenberg, did you think that -- was that the end of your, you know, flagging of concerns to authorities?

A I think that's what I had in my mind.

Q We talked about, and I don't want to go there right here right now, but some of the other people that you raised concerns to, did you ask any of those folks to do anything with the concerns?

A That was -- that was -- that's -- I don't think that's an accurate characterization, Counsel. I think what I did was I fulfilled my coordination role and spoke to other national security professionals about relevant substance in the call so that they could take appropriate action. And, frankly, it's hard to -- you know, without getting into,

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you know, sources and methods, it's hard to kind of talk about some of these things.

Q Okay. Did you expect any of those officials that you spoke to to take appropriate action?

MR. GOLDMAN: Can we table this? This is now delving, once again, into this area that the chairman has ruled pretty clearly on. He has stated just now that his concerns are really irrelevant. You indicated before that the reason why you're asking these questions is to see what the quality of his concerns --

MR. CASTOR: Well, that's not accurate.

MR. GOLDMAN: So let's just move on.

MR. CASTOR: Let's move on, but we would like to revisit it when the members are back.

MR. GOLDMAN: Fine.

MR. ZELDIN: Steve, can I ask something on that real quick?

MR. CASTOR: Sure.

MR. ZELDIN: All right. So something I'm stuck on. So you said your judgment is irrelevant. You said that a couple minutes ago, correct?

LT. COL. VINDMAN: Maybe that was a poor word choice if I understand where you're going with this.

MR. ZELDIN: If you want to change it, what would you have preferred to have said?

LT. COL. VINDMAN: So my judgment on next steps and how this gets adjudicated is irrelevant. I took actions based on what I thought were

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concerns, legitimate concerns, you know, providing those concerns to the right authorities.

MR. ZELDIN: I'm not familiar with how your chain of command works there. You're uniformed military. Your -- who's your rater? Like, who's your supervisor in the Army?

LT. COL. VINDMAN: So there's no real military supervision, per se. I have administrative control through Fort Meyer. They handle, like, leave and pay issues, whatever, administrative stuff.

I don't have a military chain of command at the National Security Council. I work -- I'm detailed over to the National Security Council, and my, you know, supervision is my senior director and the National Security Advisor.

MR. ZELDIN: Who rates you?

LT. COL. VINDMAN: So that would be Dr. Hill rated me, and senior rated me.

MR. ZELDIN: When -- so you have concern. You go to the legal counsel. And then you -- is it true you told the Ukrainians not to investigate? Did I understand your testimony earlier today?

MR. VOLKOV: Wait, wait, wait. First off, there's an assumption that he told the Ukrainians not to --

MR. ZELDIN: I think he testified to that earlier today.

MR. VOLKOV: No, that's a mischaracterization. That is a mischaracterization, sir. You can say what you want as to what he said, but we're going to live by the record. You're not going to make statements like that, and I'm going to object every time you do that

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on the record.

MR. ZELDIN: That's fine. Are you done?

MR. VOLKOV: Yeah, I'm going to be done in a second. He's not going to answer your question.

MR. ZELDIN: You don't even know what my next question is.

MR. VOLKOV: I already heard it.

MR. ZELDIN: My next one?

MR. VOLKOV: No, I heard what you said already.

MR. ZELDIN: My last one. All right.

MR. VOLKOV: I don't need to know --

MR. SWALWELL: Mr. Zeldin, ask your question.

MR. ZELDIN: Okay.

Colonel Vindman, did you have direct communication with Ukrainians about whether or not to investigate?

MR. VOLKOV: Objection. I'm going to object to that. Whether to investigate what, when, where? Be more specific.

MR. ZELDIN: Colonel Vindman, did you have any discussions with Ukrainians about whether or not to investigate regarding the 2016 election and/or Burisma and the Bidens?

LT. COL. VINDMAN: I don't recall having any such conversation. So all I said to them --

MR. VOLKOV: Just answer the question, okay? Just answer the question.

MR. ZELDIN: Following the July 25th phone call, there was no conversation -- were there any conversations between you and

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Ukrainians with regards to investigations at all?

MR. VOLKOV: Wait a minute. I'm going to object again.

MR. SWALWELL: I imagine you're going to say it's vague.

MR. VOLKOV: No. It's, what time period are we talking about?

It's vague. I mean, you've got to ask a proper question.

MR. SWALWELL: Can you just clarify, Mr. Zeldin?

MR. ZELDIN: The time period I said was after the July 25th call.

MR. VOLKOV: No, no, no. Until when?

MR. ZELDIN: Until the present.

MR. VOLKOV: Until today?

MR. ZELDIN: Sure.

MR. VOLKOV: Okay. And can you restate the question now properly? Thank you.

MR. ZELDIN: Have you had any conversations with Ukrainians since the July 25th call with regards to investigations at all?

LT. COL. VINDMAN: The answer I'm quite certain is no. And I think this would actually clarify this. I went -- I told you I went on leave. I said to the committees I went on leave. I had one conversation with a Deputy Chief of Mission sometime I think it was around the 31st. She would not have had a readout of any of the calls, the substance of the calls, and would not -- you know, I would not go into certainly harmful content that was going to undermine their relationship.

So there was no conversation at that point, and that's immediately afterwards. And I don't recall ever having conversation about not,

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you know, pursuing an investigation. All I would do is I would tell them to not interfere -- not get involved in U.S. domestic politics.

BY MR. CASTOR:

Q These outside influencers, do you consider Volker and Sondland outside influencers, or is it just Giuliani and the media?

A I think in certain regards, you could -- you could identify Ambassador Sondland as a bit of an outside influencer.

Q Ambassador Volker?

A Ambassador Volker, when he's fulfilling his role as the special -- when he was fulfilling his role as a special representative for Ukraine negotiations, he was working in concert with the interagency. And when he was engaging with Mr. Giuliani, I would say that that was -- that was not the case.

Q How about Secretary Perry?

A I'm not aware, frankly, of Secretary Perry taking a contrary -- a position contrary to I guess what we had discussed.

Q Now, does any of that change if the President had asked them to do this, Secretary Perry, Sondland, or Volker?

A Yeah, I mean, I don't think it would. I think, frankly -- let me make sure I answer this question correctly. If the President asks somebody to do something, then that's -- you know, he's the President. It's a -- certainly, to anybody in the U.S. Government, it's -- they take that action, as long as it's legal.

Q How many communications did you have with Volker during this time period?

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A Probably about half a dozen or so and probably more.

Q Did Volker ever relate to you that, in his communications with the Ukrainians, the name Joe Biden never came up?

A I don't recall. I don't recall. I know that we certainly -- there were some discussions about Giuliani and the narrative that he developed, but I don't think we necessarily -- and I said that -- I do recall telling him that I didn't think it was wise to, you know, wade into that discussion. But I, frankly, don't recall -- I'm trying to remember. There were several meetings that Ambassador Volker joined us for, and it's possible that he said something. I just -- nothing comes to mind.

Q Okay. Are there any elements, of the 2016 sort of category or Burisma category, are there any elements of those two that could be a legitimate avenue worth pursuing or worth advocating for?

A I think if -- I think rooting out corruption in Ukraine is in Ukrainian interests. And because of the fact that it makes the Ukrainian institution stronger, it's in the U.S. interests. So I think fighting corruption is something that we have been encouraging all along.

Q Okay. So is it possible, though, that Volker, when he was working with the Ukrainians, he was trying to channel some of these, you know, inartful ideas into a more appropriate --

A I think that is -- that was exactly his intent was to channel, you know, these -- these -- these efforts into something more closely aligned with the consensus policy objectives and policy efforts. I

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have no question that him, Ambassador Volker, Ambassador Sondland, and Secretary Perry were trying to do the right thing and build a bilateral relationship between Ukraine and the U.S.

Q Okay. So Volker had a lot of communications with certain Ukrainian officials, like Yermak, which we --

A Yes. He had a very large network of contacts.

Q Yermak is pretty close with the President?

A He -- with the Ukrainian --

Q President Zelensky.

A Yes, he is.

Q So it's possible Volker was talking with Yermak and trying to target this into something less inartful than what the outside influencers were promoting?

A I think that's -- I think that's -- that was his objective, yes.

Q Okay. Did you ever have any communications with former U.S. Ambassador to the Ukraine, John Herbst?

A I have not infrequent but also not regular contact with Ambassador Herbst.

Q Did you ever have any communication with Ambassador Herbst about the -- some of the issues here?

A I did not -- I did not discuss any investigations or anything of that nature. If you could be more specific, that would be helpful. I see him relatively frequently --

Q Okay.

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A -- during kind of, you know, work-related roundtable discussions. And when I say "relatively frequently," probably over the course of a year, you know, I probably had about half a dozen interactions with him. I've hosted him in my office. I think Fiona Hill may have met with him or at least said hello. He's a former Ambassador, and he has some interesting perspectives.

Q Okay. Did Ambassador Herbst ever communicate to you any information he had about the call?

A That he had about what call?

Q The 7/25 call.

A I am actually not aware of any -- of him having any information.

Q So you never had any communications with him about the call, whether he initiated it or you initiated it?

A I don't recall having any substantive conversations with him.

Q Okay. The -- you mentioned the Orban call, and you used the term -- you know, you mentioned that there is -- you know, the National Security Council's official position was they didn't want to facilitate that call, and there may have been, I think you used the term "leveraged capital." Do you remember saying that?

A Yes.

Q And the U.S. Ambassador to Hungary was trying to promote that?

A Correct.

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Q And you mentioned Mick Mulvaney was getting involved with that?

A My understanding -- again, I didn't -- wasn't directly involved -- is that this was organized, Ambassador Cornstein organized this through Mr. Mulvaney.

Q Okay. Does anything with that fact pattern remind you of the Ukrainian fact pattern, where there were, you know, influencers trying to go outside of the National Security --

A Sure.

Q -- Council function?

A Yes.

Q Okay. Does that happen a great deal, or are they the only two examples that you've ever heard of?

A I don't think so. I think, frankly, one of the benefits of having political appointees that are well-connected in key locations is that they can use that influence to, you know, to bring in key leadership in order to advance U.S. national security interests.

Q So you were comfortable with the way Ambassador Cornstein set that call up?

A Well, I wasn't comfortable with the outcome, because I didn't think that, frankly, the Hungarian President's position was accurate. And, certainly, if they had concerns, the Ukrainians were willing to potentially resolve those concerns in order to -- I mean, the bigger picture here is that Hungary blocks NATO-Ukraine cooperation, and, you know, not being able to resolve this issue prevents closer cooperation

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between Ukraine and NATO.

So that was not helpful. That's not just in my view, as the Director of Ukraine, but that was definitely not helpful in the view of my superior, Dr. Hill. And my understanding, also Ambassador Bolton didn't think that was helpful --

Q Right. But sometimes --

A -- to advance U.S. national interests.

Q Sometimes the U.S. Ambassador to a country can leverage his capital to effectuate outcomes that are different than the National Security Council recommends, right?

A Sure. But I guess the National Security Council's consensus view tends to be the best, most informed judgment across, you know, across the U.S. Government. I think there have, in fact, been, you know, other Ambassadors that have advanced U.S. policy interests. You just happened to point out, you know, a couple that I don't think advanced U.S. policy interests.

Q I want to turn your attention to the May 29th letter from President Trump to Zelensky. Do you know if that letter was -- a draft of the letter was shown to the President during the 5/23 briefing?

A My understanding is that it was, but I don't know for certain.

Q And the initial draft, was that prepared by you?

A Yes.

Q Okay. And did you hear anybody relate to you how the President evaluated that letter or what he thought about the letter?

A He signed it ultimately, but initially he didn't. And, you

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know, I guess what was relayed to me is that -- I was also getting ready to do travel, so I wasn't able to kind of follow this all the way through. I just knew that when I was getting ready to board the aircraft for Ukraine, that the letter wasn't signed and that I had kind of got -- I learned that he wasn't potentially going to sign it or something.

Q Okay. Do you know if anybody added edits to it from the version that you prepared?

A I think there were -- so in -- from the version I prepared, it went through staffing. I think I'm guessing my -- Fiona Hill had some edits. People --

Q Any of the outside influencers?

A I -- so I know, in the final version that was produced, Ambassador Sondland, in concert with Chief of Staff Mulvaney, added a line inviting the Ukrainian President to Washington for a bilateral meeting, which is, of course, helpful.

Q Okay. So that was the only edit that you're aware of added by Ambassador Sondland?

A I think so. That's -- I do recall looking at the various versions and noting that that was the only thing that was -- that seemed to be added.

Q And did you ever have any communications with Dr. Hill about what happened with the letter?

A There were some -- we did try to figure out -- because by the time this letter went out, it was way past when we thought we would need it. We still, obviously, thought it was very useful for

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Ambassador Taylor to deliver it when he showed up, but we thought that the letter had actually gone away. And then, eventually, we learned that the letter was signed, and then we tried to get our hands on the letter to make sure it was distributed to the Ukrainians.

Q Did you ever hear that the President, you know, ripped up the letter at one point?

A No. No, I hadn't heard that.

Q This issue with Mr. Patel, is it possible there was just a misunderstanding?

A All I know is what was relayed to me by Dr. Hill. So, I mean, I don't really know that much, I don't think.

Q Like did you ever come into a set of information, you know, indicating that Mr. Patel had been representing himself as a Ukraine director on the National Security Council?

A Outside of what Dr. Hill relayed to me, I had no other basis on which to make that assessment. That was a single I guess data point. But I'm not sure where -- she's also -- you know, frankly, in my view, she's a credible person. I know her, and I'm not sure how she came by that.

Q Okay. But that was just one little episode, right?

A That's right.

Q Okay. And, to your knowledge, Mr. Patel didn't join the meeting?

A Not as far as I know.

Q Okay. But at the time, when you were instructed not to go,

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you thought maybe he would be in the meeting and --

A I didn't -- I didn't necessarily think that, because it was clear to me that Dr. Kupperman was going to represent the National Security Council. And, you know, I don't know all of the way -- all the factors to influence the decision, but I do know what Dr. Hill told me is she had this conversation with the National Security Advisor, Ambassador Bolton, and that's what they settled on.

Q Turning your attention back to the July 25th call, you said that you went and you spoke to Eisenberg. How many other officials at the NSC did you have communications with about the call, other than the Eisenberg meeting that you already --

A On the 25 July call?

Q Yeah.

MR. VOLKOV: Just to clarify, you mean at the meeting with Eisenberg, were there other people there or --

MR. CASTOR: After the meeting with Eisenberg.

MR. VOLKOV: Oh, after the meeting, okay.

BY MR. CASTOR:

Q How many other discussions did you have with officials about the call where you related your concerns?

MR. VOLKOV: By "officials," you mean NSC officials?

MR. CASTOR: The officials that he's related to us here today.

A Right. So --

BY MR. CASTOR:

Q I'm just trying to get at, like, how many communications were

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there?

A So --

Q Are we talking 1 or 5 or 10?

A No, definitely not 10 and maybe not even 5. I -- you know, I pulled my brother into this meeting with me, and it's -- I don't recall, but it's quite possible I would have made sure that, you know, John Erath, Deputy -- I hate bringing his name in here because he really is not involved, but he's probably --

THE CHAIRMAN: Can I just caution again not to go into names of people affiliated with the IC in any way.

LT. COL. VINDMAN: I understand, Chairman.

THE CHAIRMAN: Thank you.

LT. COL. VINDMAN: So within -- that's within the National Security Council. And then -- so I didn't really talk to --

MR. CASTOR: And, like, you can say person number one if we don't want to identify people, or person number two.

MR. VOLKOV: Well, wait a minute. We're just talking about national security people. You're talking about NSC?

MR. CASTOR: No, I'm getting back to officials, the --

MR. VOLKOV: Oh, you want to join the issue. Okay, well, we might as well join this issue right now, because we're not going --

MR. CASTOR: Can we evaluate the questions that I'm asking and --

MR. VOLKOV: I mean, you can start the questions, and then we're going to ask the chair to rule, but that's fine if you want to start the questions. They're not going to be answered until we get a ruling

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from the chair.

THE CHAIRMAN: If the witness has any concern that it may lead to the revelation of the identity of the whistleblower, the witness should feel free to decline to respond to the question.

MR. VOLKOV: Can I just clarify one thing? He doesn't -- my client does not know who the whistleblower is, so --

VOICE: We got that in the statement.

MR. VOLKOV: And out of an abundance of caution, we came here to make sure -- we don't know all the information that you have. We have no idea.

And my concern is, as a former Federal prosecutor, I'm not going to out confidential informants, okay? There's plenty of reason that everybody can do what they got to do, but my client is not going to be engaged in that.

MR. JORDAN: Mr. Chairman, can I have just a clarification. Are you objecting to the witness answering the questions from our side, and particularly the ones Mr. Castor has posed throughout the day, based on a classified concern or just the whistleblower concern?

THE CHAIRMAN: No. My concern is over not jeopardizing the life of the whistleblower. And, of course, there are --

MR. JORDAN: It's nothing to do with classification?

THE CHAIRMAN: It's not an issue of classified information. It's an issue of where the questions appear to be leaded, which is to, by process of elimination, identify --

MR. JORDAN: That's your conclusion, Mr. Chairman.

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THE CHAIRMAN: You know, unfortunately, there is a good-faith basis for that concern.

MR. JORDAN: Mr. Chairman, if I could, just for the record here, we just got a resolution that I think is going to be voted on on Thursday, and it says at some point in that resolution, whatever winds up happening here is going to go to the Judiciary Committee. They are going to want to call witnesses at some point.

We would like to give them some help in who they want to call. One of the things you do to determine that is ask the who, what, when, where, why questions of whatever witnesses you allow us to have in here. And all we've been asking is, who did Colonel Vindman talk to after important events that happened this past July? That's all we're asking.

And you're saying you're not going to let him answer, not based on any classification concern, solely because you have some concern that we're trying to get to the whistleblower, which isn't the case. We're trying to get to a list of witnesses that we think will be helpful at some point if, in fact, this goes to the Judiciary Committee.

THE CHAIRMAN: I've made my ruling.

MR. MEADOWS: Mr. Chairman, a point of order then. As you know, the rules require that the only reason for a witness to not actually answer a question is one of privilege under the joint deposition.

And so I would respectfully appeal the ruling of the chair, and, as required by the rules, I'm required to give written notice of that appeal. And so I want to, for the record, submit that objection and

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ask that the committee certainly resolve this issue by a vote, as the rules dictate.

But I can say, since the witness does not know who the whistleblower is, just mentioning names could not possibly out the whistleblower. But, regardless, I would say the rules are very specific. I would appeal the ruling of the chair, and I'll give this to the Clerk as well as to the chairman.

THE CHAIRMAN: And I would just say, Mr. Meadows, that what you've said -- and it's certainly not intentional -- I don't believe is accurate for the reason that the witness' counsel mentioned, which is it's not just about what this witness knows. It's what we cumulatively know from the interview of other witnesses. And that's what may allow the outing of the whistleblower, the testimony of other witnesses and the process of deduction and elimination.

And, you know, I would love to have you make a statement, Mr. Meadows, of your support for the ability of the whistleblower to remain anonymous so that we do not discourage other whistleblowers from coming forward. I would love to have you acknowledge that there have been threats made to this whistleblower and that Members should make every effort not to identify the whistleblower. I would love to hear my colleagues express their support for whistleblowers overall. I haven't heard any of that.

What I do hear are questions which -- you know, pardon me for being skeptical -- appear designed to meet the President's goal of outing the whistleblower, and that does concern me greatly. And the witness

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and the witness' counsel have made it clear they have no interest in being party to that. And I don't have any interest in our proceeding being party to the outing of the whistleblower. But I will consult with my staff.

MR. MEADOWS: With your Parliamentarian.

Mr. Chairman, with all due respect, I mean, there are times when we wish the rules said something different than they actually do. In this case, the rules are very clear -- you can ask your counsel -- that the only exception is one granted of privilege, and that's not being invoked here. And so that's why I respectfully appeal the ruling of the chair.

MR. JORDAN: Colonel Vindman, the question from Counsel Castor is real simple: How many individuals did you talk to after the July 25th call after your meeting with Mr. Eisenberg, and how many times did you talk to them? So that's what we're looking for, how many people and how many times?

MR. CASTOR: So person one, two, three, four -- just let me finish and then -- person one, two, three, four, or person one, and then communication one, two, three, four. Was it one person, one communication?

MR. VOLKOV: Yeah, and we'll object to that. He's already testified as to one conversation that he did have, which was with the -- Mr. Kent, okay, from the State Department.

MR. CASTOR: Okay. So --

MR. VOLKOV: Wait a minute. That's one person. What I'm not

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going to be a party to is we're not going to be a party to any information that can be used to out a whistleblower.

MR. CASTOR: How would it be used to out a whistleblower to say, "I spoke with a person unidentified"?

MR. VOLKOV: The test is, would the information tend to provide identification evidence?

MR. CASTOR: Okay. Can we go one question at a time? How many people are there?

MR. VOLKOV: I'm just telling you I'm not going to go through that.

MR. CASTOR: So we can't even say there's only one person?

MR. VOLKOV: Look, he came here. He came here. He tells you he's not the whistleblower, okay? He says he feels uncomfortable about it. Try and respect his feelings at this point.

VOICE: We're uncomfortable impeaching the President.

MR. VOLKOV: Excuse me, excuse me. If you want to debate it, we can debate it, but what I'm telling you right now is you have to protect the identity of a whistleblower. I get that there may be political overtones. You guys go do what you got to do, but do not put this man in the middle of it.

MR. CASTOR: So how does it out anyone by saying that he had one other conversation than the one he had with George Kent?

MR. VOLKOV: Okay. What I'm telling you right now is we're not going to answer that question. If the chair wants to hold him in contempt for protecting a whistleblower, God be with you. And you guys

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can go run out there and talk to the press about it and have a great time, but I'm telling you right --

MR. CASTOR: You know, none of us is having a great time.

MR. VOLKOV: Well, look, what I'm telling you is I've never seen either party ever try to out a whistleblower in the same concerted way that is going on in here. It's not going to happen.

MR. CASTOR: We're just trying to find out if it's one person or five people.

MR. VOLKOV: Look, I was a prosecutor for 25 years, sir, okay? I handled confidential informants. I handled very risky situations. What these questions are designed to do, you've already -- you don't need this. You don't need to go down this. And, look, you guys can -- if you want to ask, you can ask -- you can ask questions about his conversation with Mr. Kent. That's it. We're not answering any others.

MR. ZELDIN: The only conversation that we can speak to Colonel Vindman about is his conversation with Ambassador Kent?

MR. VOLKOV: Correct, and you've already asked him questions about it.

MR. ZELDIN: And any other conversation that he had with absolutely anyone else is off limits?

MR. VOLKOV: No. He's told you about his conversations with people in the National Security Council. What you're asking him to do is to talk about conversations outside the National Security Council. And he's not going to do that. I know where you're going.

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MR. ZELDIN: No, actually, you don't.

MR. VOLKOV: Oh, yes, sir.

MR. ZELDIN: No, you really don't.

MR. VOLKOV: You know what? I know what you're going to say. I already know what you're going to do, okay? And I don't want to hear the FOX News questions, okay? Yeah, yeah, that's exactly right.

MR. ZELDIN: Listen, this transcript is going to be out at some point, okay?

MR. VOLKOV: I hope so.

MR. ZELDIN: Just for the record so that you understand, Counselor, that the question that Mr. Castor is asking is with zero desire whatsoever to get information to out the whistleblower. Do you understand?

MR. VOLKOV: That's not true. I don't believe you.

MS. SEWELL: The chairman has ruled. Respect the counsel he's paying for on his own dime. The chairman has ruled.

THE CHAIRMAN: The gentleman will suspend. Let's suspend. Counsel has made his position clear. I think his client has made his position clear. Let's move on.

Time has expired. Let's take a break.

MR. ZELDIN: We just spent 8 minutes debating that.

THE CHAIRMAN: Well, that was your choice. That was your choice.

MR. ZELDIN: We spent 8 minutes on a filibuster.

THE CHAIRMAN: We will take a 5-minute recess, and then we will resume.

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[Recess.]

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[6:21 p.m.]

THE CHAIRMAN: Okay. Let's go back on the record. I recognize Mr. Noble for 45 minutes.

BY MR. NOBLE:

Q Colonel Vindman, after the July 25th call, am I correct that Mr. Eisenberg instructed you not to talk to others about the call?

A After the July 25th phone call, he initially did not. The point at which he advised me not to talk to anybody else was after --

Q Could you move the mike?

A Sorry. You know, I think we're going to stray into areas that are -- that the chairman has already ruled on actually.

MR. VOLKOV: Well, let me state it this way, and I could proffer what he would say. What he would say is that --

MR. NOBLE: Can you speak into the mike?

MR. VOLKOV: Oh, I'm sorry. That there was a time when Mr. Eisenberg came to him, asked him who he had talked to, and then he told him, do not talk to anybody else.

MR. NOBLE: Okay.

MR. VOLKOV: Okay? And that was the end of all their communication.

BY MR. NOBLE:

Q Okay. And your notebook that you reference that you said contains classified information, that's the notebook that you used to take notes about the call?

A That's the notebook I used to take notes about everything,

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all my meetings, you know, all my day-to-day activities.

Q But you don't consider your notes about the call or what you've conveyed here to be classified, correct?

A No, not about the call. But I would just, again, say that this book is -- I'm almost at the end of it, and it's filled with all my contacts, all sorts of different levels of classification, all sorts of sensitive materials.

Q Okay. In the days following the July 25th phone call, can you explain or describe what the reaction of others at the National Security Council were, kind of --

A Yeah. So it was -- I may have mentioned earlier, it was an extremely busy week. We went from a -- for me -- from a PCC on the 23rd to the phone call on the 25th to a deputies small group on the 26th.

I basically -- after I provided my concerns to Mr. Eisenberg, I moved on and continued on trying to work on this issue of, you know, building consensus, assessing the impacts of, you know, the cessation of security assistance, and working through the process and through the chain of command to inform senior leaders so they could make a decision on this.

Q Okay. And I believe, sticking with the July 25th call, in response to some questioning from our Republican colleagues, you had said something about, if President Trump were to ask about an MLAT assistance, that that might be appropriate. Is that what you said?

A I guess, I think the question was something closer to, am

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I aware of what an MLAT is? And I said yes. And then I'm trying to remember, I guess, exactly what I said. You know, I took the actions I did. I explained, I guess, those actions in the statement. Everything else about if this had happened, if that had happened is, you know, hypothetical and speculative. So I guess I'm not sure --

Q Fair enough. But on the MLAT issue, you said you are familiar with MLATs, right?

A Yes.

Q What does MLAT stand for?

A So multilateral -- now you're going to put me --

Q I'm sorry. Mutual legal assistance treaty. Is that correct?

A Yeah, mutual legal assistance treaty. So the context that this had come up, again, during the course of my normal activities and in an effort to assist the Ukrainians with corruption, we were discussing, you know, the exchange of, you know, between the legal counsels, exchange of information to help, I guess, resolve some ongoing issues, either pending legal action against oligarchs or just, in general, cooperation between -- bilateral cooperation.

Q So is it your understanding that an MLAT is used by the Department of Justice to request evidence that may be located abroad, foreign witnesses, or documentary evidence, electronic evidence for use in U.S. criminal prosecutions and investigations?

A Right. And then the same thing in reverse for the foreign power to ask for the same types of materials for investigation, yes,

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sir.

Q That might exist here in the United States --

A Correct.

Q -- that the U.S. could provide to the foreign country --

A Correct.

Q -- to assist in their own foreign criminal investigation or prosecution?

A That might be about as much as I know about MLATs.

Q Okay. To your knowledge, was there any MLAT request, official DOJ MLAT request relating to the 2016 election interference by Ukraine or Burisma or Hunter Biden or former Vice President Biden at the time of the July 25th call?

A I'm not aware of any such requests.

Q Okay. Now, you said you went on vacation sometime after the July 25th call. What were the dates of your vacation?

A From the 3rd -- it was supposed to be through, I think, the 16th or so. I came back a little bit early because there was a lot of things going on, so --

Q Okay. So are you aware on August 2nd that Rudy Giuliani met with Andrey Yermak in Madrid?

A I was not aware at the time, no. I learned about it afterwards.

Q How did you learn?

A I'm not sure if it was initially press reporting or -- I'm just trying to think if maybe I heard of it from -- Mr. Volker would

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be the only other person that I think -- Ambassador Volker would be the only other person that logically I may have learned it from, but probably press reporting, I think. I don't know for certain. I apologize.

Q Do you recall any meetings or discussions with Ambassador Bolton where Giuliani was discussed and particularly his activities in Ukraine?

A I know of such conversations only as they were relayed to me from Dr. Hill who had such -- at least a conversation. I'm not sure if there were more.

Q Okay. But you didn't have any one-on-one or group discussions --

A No.

Q -- where Ambassador Bolton was present and Giuliani came up?

A No.

Q Okay. Were you aware that, around the time that you were on vacation, Ambassador Sondland and Volker were working with Andrey Yermak on a possible statement that President Zelensky was going to release announcing the Burisma and 2016 election interference investigations?

A I don't think I learned of that until actually, you know, Ambassador Volker's testimony and the release of his text messages, WhatsApp text messages.

Q So you had no contemporaneous knowledge?

A No.

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Q Okay. Are you aware of whether any Department of Defense official may have communicated to a Ukrainian Government official on or about August 6th about the freeze of U.S. assistance to Ukraine?

A I'm not. So I'm just trying to think of -- yeah, I'm not aware. I don't recall anything of that nature.

Q Okay. Are you aware that the statement that Ambassador Volker and Sondland were working with Andrey Yermak on that was supposed to include Burisma and 2016 elections was ultimately not issued by the Ukrainians? Did you ever see a statement like that?

A No. I learned of all this, you know, after the whistleblower report and after I think Ambassador Volker gave testimony.

Q And was there ever any discussion about the Ukrainians not issuing the statement around the time, I believe you said it was August 16th, that the President rejected your recommendation that the assistance be reinstated?

A I have no knowledge of these events.

Q Okay. Are you aware of conversations that Tim Morrison had with Ambassador Taylor and Ambassador Sondland, you know, the last couple weeks of August relating to the freeze and the potential White House meeting for President Zelensky?

A I'm not.

Q Okay. So Mr. Morrison never looped you into those calls?

A He didn't.

Q Okay. So you're not aware of an August 22nd call that Morrison had with Ambassador Taylor?

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A I don't recall being -- I don't recall participating in that call, no. I guess, I mean, there were still times that I was communicating with Ambassador Taylor, but not on this topic, I guess. So there are other relevant issues that we were handling. I don't recall this particular call, but I was still in communication at times with Ambassador Taylor.

Q Did you ever communicate with Ambassador Taylor about concerns that the Ukrainians were raising about the pressure being put on them to do these investigations or announce these investigations?

A Sure. So certainly the call on July 19th, in his account. You know, I wouldn't have thought about it, but I do recall having that conversation with Dr. Hill and Ambassador Taylor, so -- and that had to do with security assistance.

Ambassador Taylor was also a participant in sub-PCCs, PCCs, and he was voicing his concerns about how this is going to impact our Ukraine policy, bilateral objectives, and so forth. And so, in that context, yes, we had conversations about it.

Q Later, in August, or in early September, did you ever have any conversations with Ambassador Taylor where he expressed the concern that the assistance to Ukraine was being conditioned on Ukraine announcing the investigations?

A Counsel, I guess, I would just say that, you know, at some point in time, I was not involved. I became less involved in these conversations, and, you know, I don't think I have much insight into conversations that Mr. Morrison had with Ambassador Taylor from

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that -- really, frankly, from about August onward, middle to late August onward.

Q Okay. So two questions on that. Just first, sticking to my original question, did you have any conversations with Ambassador Taylor about his concerns that the assistance was being conditioned on the investigations that you recall?

A I guess, I'd return back to what I said just a moment ago, that there were ongoing conversations about the impact of security assistance. I guess, if the question is specifically, you know, the pressure that the Ukrainians were under to provide some sort of deliverable to release security assistance, I don't recall that kind of conversation.

Q Okay. And then the second followup question is, why do you feel like -- I can't remember exactly the words that you used -- but that you were not as involved in these discussions after you came back from vacation in early August?

A That would be speculation. I don't know why.

Q Okay. So Ambassador Bolton traveled to, among other places, Kyiv on August 27th through, I believe, August 29th. Is that right?

A One more time, please.

Q I'm sorry, I said Taylor, but I meant Ambassador Bolton traveled to Kyiv in late August --

A Correct.

Q -- the 27th through the 29th?

A Yep.

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THE CHAIRMAN: I was just going to see if I could clarify, the point that you mentioned in August when you were less involved in these issues and you weren't able to speculate as to why, how was that reflected? Was it reflected in your not being invited to a meeting that others were on the topic or not being part of conversations? What gave you the impression that you were being excluded from some of those discussions you had been a party to earlier?

LT. COL. VINDMAN: So, Chairman, I would say that the trip to Ukraine, Moldova, and Belarus, all three countries in my portfolio, that occurred in the August timeframe, I didn't participate in. So I'm not sure why that's the case, but that's -- I don't think that's typical for a director in which there's travel to all those countries to be excluded from that travel and, you know, providing the support that's offered to the leadership at that time.

THE CHAIRMAN: And your exclusion from that trip, that took place after you went to Mr. Eisenberg to express your concerns with the July 25th call?

LT. COL. VINDMAN: Answering just factually, yes. But, again, I would not want to speculate as to, you know, what the motivations were or anything of that nature.

THE CHAIRMAN: Did you ever seek an explanation for why you were not included on that trip?

LT. COL. VINDMAN: I did, yes.

THE CHAIRMAN: And who did you inquire with?

LT. COL. VINDMAN: I inquired with the deputy senior director,

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John Erath, and I believe I inquired with Tim Morrison also.

THE CHAIRMAN: And what was their answer?

LT. COL. VINDMAN: So I received different answers, frankly, at different times. But the answers were, you know, there's limited space on the plane and, you know, Mr. Morrison had it covered or something of that nature, and that's -- you know, things of that nature, but nothing -- I guess, I don't know. I'm not sure.

THE CHAIRMAN: Were there other ways in which the way you were integrated into Ukraine policy changed after talking to Mr. Eisenberg?

LT. COL. VINDMAN: So I understand, Chairman, that, you know, there's a logical connection there. I don't want to be the one to draw it for you.

THE CHAIRMAN: Yeah. No, and I'm just talking chronologically.

LT. COL. VINDMAN: Right.

THE CHAIRMAN: But in the August timeframe and September, were there any other ways in which you felt your responsibilities vis-à-vis Ukraine had changed?

LT. COL. VINDMAN: So I would request readouts, for instance, of -- in order to be able to do my job effectively, understand kind of the latest state of play, you know, if there was a policy direction or some other element that needed action. I would ask for readouts, and I wasn't able to successfully obtain readouts of those trips.

I did eventually get information through, you know, my interagency contacts and cables that kind of read out some of these things, but it was not directly from Mr. Morrison and -- yeah.

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THE CHAIRMAN: Thank you. Mr. Noble.

BY MR. NOBLE:

Q On the trip that Ambassador Bolton made to Ukraine, did you help prep him for that meeting?

A That was the reason I came back -- well, let me think through this. So that was the reason that I had come back early is to frankly put together the prep and to get ready for travel, because at the time when I thought I was -- when I was coming back, I thought I was going to be part of the trip.

MS. SEWELL: Daniel, could I ask a question?

MR. NOBLE: Sure, of course.

MS. SEWELL: Colonel, I'm Congresswoman Terri Sewell from Alabama.

How would you characterize your duties and responsibilities currently? Are they the same that they were back in May, in April, May, June, July? Like how would you characterize what you currently do? You said that, in August, you were -- trips that you would normally participate in you didn't participate in. I just want to see how you would characterize your job responsibilities and access to information and to people, you know, now.

LT. COL. VINDMAN: Thank you, Congresswoman. So I have other elements in my portfolio. I have plenty of work to do there. And, frankly, there's still plenty of work to do in Ukraine on my portfolio.

I'd say that the -- if I had, in fact, felt that I was being cut out, I think the situation is somewhat normalized to a certain extent,

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and that, you know, I'm still able to advance U.S. interests and coordinate policy in a lot of ways. There was that period of time where, I guess, you know, where I felt I wasn't having access to all the information and not attending the things that I would typically be participating in.

MS. SEWELL: You don't feel that way now? Let me rephrase. Are there things that you would normally, typically have access to, people, documents, information that would help you best do your job as the person who, you know, basically coordinates interagency responsibilities with respect to a number of countries, including Ukraine?

LT. COL. VINDMAN: Right. So I have a pretty strong network of folks that I collaborate with outside the -- I had no kind of degradation in my ability to coordinate with external folks. I think, you know, isolating it just to the NSC, there probably were some challenges in the August/September timeframe, but, like I said, now I feel like, you know, the situation is somewhat normalized.

And, also, Congresswoman, you know, I'm not sure how much of this is just the fact that there's also a natural adjustment period between a change in leadership, Dr. Hill to Tim Morrison, doing, you know, operating in different ways. So, you know, I'm not sure how much of that is unique to me versus, you know, broader.

MS. SEWELL: Thank you.

BY MR. NOBLE:

Q When you were prepping Ambassador Bolton for the trip to

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Kyiv, did he ever express any concerns about not wanting to get involved in politics?

A So the preparation was in the form of background papers, talking points, and I prepared all that. I did not prepare him, you know, one-on-one or anything of that nature. Yeah, I believed Tim -- Mr. Morrison -- prepared him based on the materials I provided.

Q Verbally, you mean, had meetings with him?

A So, again, based off experience, when I traveled with Ambassador Bolton the previous year to meet with the Russian counterparts and to Ukraine, I put together the prep, I traveled with him, and then I provided some prep to him on aircraft and things of that nature.

So I would imagine that Mr. Morrison took that role and provided that prep to the Ambassador. It was a multiday trip, lots of moving pieces, and, you know, with unique activities in each one of those three countries. So I think probably there was more than likely some sort of prep.

Q Okay. And Mr. Morrison went on that trip with Bolton, correct?

A Yes.

Q Are you familiar with a cable that Ambassador Taylor sent to Secretary of State Pompeo on August 29th about concerns that he had?

A Yes.

Q Okay. Were you on the distribution list for that?

A Frankly, I don't recall. It's called the first-person cable

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that you're referring to.

Q That's correct.

A I don't recall whether I saw that -- at what point I saw it, but at some point, I did see the first-person cable. And, in general, I think Embassy Kyiv is quite good about collaborating, coordinating, keeping me in the loop about what's going on.

Q And do you remember the gist of what the cable said?

A I think it was expressing what I would characterize as a deep concern over the fact that the security assistance was being held up; it was now a public issue; and how this was going to affect our bilateral relationship and national security.

Q Do you know what, if anything, happened to the cable at the White House?

A I don't.

Q Okay. Do you know if it ever made its way to the President?

A I don't. And, frankly, you know, the fact that you asked the question that way, typically what I would do is it's a significant event, so I would take this, package it in the form of an information memo and send it forward. I don't remember doing that in this case.

Q Okay. Do you know if anyone else did that?

A No, I don't think -- not that I'm aware of.

Q So I'm going to ask you some questions about a series of events. We're trying to get through -- cover some territory, and if you don't have any knowledge about it, perfectly fine, obviously.

But Ambassador Bolton's trip to Kyiv was leading up to a meeting

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in Warsaw, a bilat between Vice President Pence and President Zelensky, is that right, in connection with the commemoration of World War II?

A It was initially scheduled to be a meeting between President Zelensky and President Trump, and then that changed to Vice President Pence when the President was unable to attend because of Hurricane Dorian.

Q And did you participate in that?

A I participated in the preparation for it, but, again, I didn't attend the meeting.

Q Did you help prepare Vice President Pence for the meeting?

A I helped his -- I assisted his staff with preparing him.

Q And which staff members prepped him?

A That would have been Jennifer Williams.

Q Okay. Was Keith Kellogg involved at all?

A I'm sure -- I didn't have that interaction, but it would be logical that General Kellogg would be part of the prep, you know, with the actual senior adviser, Jennifer Williams, providing the material, the content, I guess.

Q Do you know whether in advance of the Warsaw meeting with President Zelensky Vice President Pence had any knowledge of the favor that President Trump had asked of Zelensky during the July 25th call?

A I do not.

Q Okay. Do you know whether Vice President Pence was provided a copy of the July 25th call summary?

A I do not, no.

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Q Is that something normally -- that the Vice President would normally receive?

A I think that his staff was in the call and provided him a readout and certainly had the ability to, if that wasn't sufficient, follow up with something more detailed.

Q And by "staff," you mean -- that was Keith Kellogg and Jennifer Williams --

A Correct.

Q -- who were in the Situation Room with you?

A Yes.

Q Did you ever have any conversations with Kellogg or Williams about them briefing Vice President Pence on the call?

A On the meeting? Is that correct?

Q No, on the July 25th call.

A Oh, I did not.

Q So you don't know one way or the other if they briefed the Vice President on the call?

A I don't, no.

Q Would it have been normal for the staff to brief the Vice President on a call that the President had with a foreign leader that he was about to go meet with?

A I would -- so just in the idea that his staff participated in it, if they thought that there was something to brief him on, they would. I have no knowledge of whether they did, in fact, do that.

Q And, I mean, just to be clear, my question was, is that

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something that a staff would normally do for the Vice President if he's going to meet with a foreign leader that the President has just had a telephone conversation -- or had a telephone conversation with, I guess, a month ago. But would they brief him on that?

A I think due diligence would suggest that you provide readouts of recent, you know, key leader communications, the President's phone call.

Q Okay. Did you get any readouts of the Vice President's meeting with President Zelensky?

A I did.

Q And can you describe what happened based on your knowledge from the readout?

A So I don't -- this has not been declassified or anything of that nature, so I can't get into substance, but I can say that Jennifer Williams provided a pretty thorough readout of the conversation.

Q So there has been some public reporting about the conversation.

A Right, statement -- there was a statement released. And with regard to the statement, I think the -- what's in the public space is consistent with what Ms. Williams provided me in her readout.

Q Okay. Do you know whether Ambassador Sondland had any side conversations in Warsaw with Andrey Yermak?

A I don't -- I'm not aware of any side -- not being party to the trip, I, frankly, don't have a huge amount of insight into what activities may have occurred.

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Q Okay. Are you familiar with any conversations that Ambassador Sondland had with Ambassador Taylor around this time concerning the security assistance?

A No.

Q Did you ever -- no, okay.

Do you know anything about Secretary Pompeo's trip to Brussels on September 2nd where he met with Ambassador Sondland?

A I don't.

Q Are you familiar with any meetings that Tim Morrison had with Oleksandr Danylyuk in Warsaw?

A Yes.

Q What do you know about those meetings?

A So I know the ones that -- I guess, the ones that we had scheduled or the ones that we had discussed had to do with a topic that's not been discussed in this inquiry. It had to do with basically having the -- and I think this is -- actually, this -- Ambassador Bolton did discuss this, so I think -- I guess I could comment.

At the time, we were working diligently on [REDACTED], and I am aware of the fact that there were multiple conversations that Mr. Morrison was having to advance this initiative.

Q Okay. Do you know whether Danylyuk ever asked Mr. Morrison to meet him at his hotel to discuss the frozen assistance to Ukraine?

A I'm not.

Q Mr. Morrison never told you about --

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A No.

Q -- any conversation he had with Danylyuk --

A No.

Q -- about that? Okay.

Are you familiar with any telephone calls between Defense Secretary Esper and the Ukraine Defense Minister relating to the frozen assistance on or about September 6th?

A I don't recall the exact date, but on or about the same time -- and I think -- let's see if this is in the public record -- so, I mean, there was a conversation between the minister -- Ukrainian Minister of Defense and Ambassador Bolton, and I think it was discussed that this Defense Minister was going to have a follow-on conversation with Secretary of Defense. That's about as much as I know. I'm trying to remember if I even received a read -- I think I did receive a readout of it.

Q And was the conversation concerning the frozen assistance?

A That topic did come up, yes.

Q Okay. Do you recall what the Ukrainian Defense Minister asked and what Ambassador Bolton said?

A Sure. So, to the best of my recollection, Mr. Zagorodnyuk, the Minister of Defense, indicated the importance of security assistance to Ukraine, and I was looking for information on what was going on and whether that -- I guess, what he could expect with regards to security assistance.

Q Do you know whether the President's desire for

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investigations came up during that call?

A I don't believe so. From the readout, I recall it was, I think -- you know, my understanding is that it was the talking point that was being used. It was part of an ongoing review process.

Q That was the talking point that was supposed to be used?

A Yes.

Q But wasn't the interagency review process over in July?

A So, I mean, it wouldn't -- the interagency review process, I guess, if you -- I don't think the interagency review process talking point that was being offered, frankly, is consistent with what we were doing in July and August. What we were doing in July and August, we were looking to build interagency consensus and determine, I guess, a way to recommend the release of security assistance funding.

The talking point on security assistance being under review is when the information broke. That's when there was, you know, I guess that's when -- in the hope of eventually lifting the hold on security assistance and not harming the relationship that we have with the Ukrainians, that's the way we described it.

Q Again, some more questions about some things that -- just testing to see what -- not testing but --

A Sure.

Q -- figuring out the scope of your knowledge. Are you aware of any conversations that President Trump had with Ambassador Sondland on or about September 7th, September 8th, or September 9th?

A I'm not.

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Q Did you ever get any readouts from those --

A No.

Q -- conversations?

A No.

Q Do you know whether Mr. Morrison would have known about those calls?

A I don't know.

Q Are you familiar with a request by President Trump for President Zelensky to do a televised interview to announce the investigations into Burisma and the 2016 election interference that was being discussed in early September?

A Just what's come out in terms of reporting based on the activities of this inquiry.

Q You weren't aware of that at the -- those conversations at the time?

A No.

Q Okay. Were you aware that the three committees, the Intelligence Committee, Foreign Affairs, and Oversight, had launched an investigation into the President and Giuliani's activities in Ukraine on September 9th?

A Yes.

Q How did you learn about that?

A We received the notice through our leg affairs folks that this inquiry was being launched.

Q Leg affairs at the White House or --

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A National Security Council.

Q Okay. Was there discussion about that investigation at the NSC?

A I'm trying to remember if there was a discussion. You know, maybe only in the form of like water cooler talk on the fact that this was likely going to, you know -- this might have the effect of releasing the hold.

Q The hold on the security assistance?

A Yes.

Q Why?

A Just because it was -- there was an inquiry going on, and it would be potentially politically challenging to, you know, justify that hold.

Q Who did you have those conversations with?

A I think, if I recall correctly, it probably would have been John Erath.

Q John Erath?

A Yeah.

Q Okay. So the next day, September 10th, I believe, is when Ambassador Bolton resigned. Is that right?

A I, frankly, don't recall the exact date, so --

Q Are you familiar with the reasons for his resignation or --

A There was speculation, but I don't have any kind of deep, unique insight into why.

Q Was there discussion at the NSC for the reasons -- about the

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reasons?

A Yes, there was discussion at the NSC as to why.

Q Did you have -- did you engage in those discussions?

A Yes. But I think, you know, it was kind of speculation. You know, this is in the public record. This is after the Camp David Taliban peace effort, so that was identified as a potential issue. I think there was speculation as to -- I'm trying to remember if there was a Syria angle to it, a disagreement on Syria.

This was also not too far after, you know, the -- Ambassador Bolton's efforts to implement a pressure campaign on Iran were, you know, not being fully implemented. And eventually I heard -- and I, frankly, don't recall from whom -- that maybe Ukraine and support for Ukraine may have been a part of it.

Q Okay.

A But it's, you know, those are kind of -- you know, I'm relating to you the rumors that were being discussed.

Q Understood. And you don't have any personal knowledge based on conversations with Ambassador Bolton, for instance?

A No. No.

Q Okay. And then the next day, September 11th, 2 days after Congress launches the investigation, President Trump decided to lift the freeze on the Ukraine assistance, correct?

A Correct.

Q Did you know the reasons why President Trump decided to lift the freeze on September 11th?

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A No. I know that there was a late evening meeting. The issue was discussed, and the President decided to lift it.

Q Okay. Did you ever get any kind of explanation for --

A No.

Q -- why the freeze was lifted at that --

A No.

Q -- particular time?

A No.

Q Where did that meeting take place and who participated?

A I don't know. I think I just really received kind of the absolute wave tops, that there was a meeting on the night of September 11th, and that, you know, the decision was made to lift the hold.

Q Okay. At that point in time, September 11th, had the administration received any new assurances from Ukraine about anticorruption efforts that they were going to undertake to satisfy the President?

A No.

Q To your knowledge, had the Europeans agreed to commit to any additional assistance to Ukraine at that time?

A Not that I'm aware of.

Q So, to your knowledge, did any of the facts on the ground change before the freeze was lifted?

A No, not as far as I know.

Q Okay. A couple more questions that you may or may not know

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the responses to. But did you have any knowledge of Secretary Pompeo's call with the Ukrainian Foreign Minister on September 17?

A I believe I received -- I don't recall the details, but I believe I received the readout, yes.

Q Do you recall the nature of the conversation?

A My recollection is that this was closer to just a normal call to kind of reinforce U.S. support, to kind of alleviate residual concerns resulting from the, you know, the hold on security assistance, and kind of try to get the relationship back on track. That's my recollection.

Q Okay. And then the next day, Vice President Pence had a call to President Zelensky?

A Yes.

Q Are you familiar with that call?

A Yes, I am.

Q And what did they discuss on that call?

A It was the same type of kind of back to normalizing the relationship, you know. My recollection of the readout was something along the lines of, you know: We had our conversation. I spoke to the President, and, you know, security assistance has been lifted, continue to implement, you know, delivering the consistent message on reforms and anticorruption, and, you know, looking forward to working with you and so forth.

Q So was this number of high-level U.S. contacts with high-level Ukrainian officials in such a close period of time normal,

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or was this part of an effort to try to restore relations after the security assistance was frozen?

A What I can say to you, Counselor, is that we wanted to move back to a normalized relationship with Ukraine because of the inherent value of Ukraine to U.S. national security, and certainly we encouraged contact at the highest levels to reassure the Ukrainians and to continue to advance our mutual agenda and move to an absolutely normal relationship.

Q Okay. Did you participate in the United Nations General Assembly meeting between President Trump and President Zelensky?

A I did not.

Q So I do want to go back to the July 25th call for just a few more questions based on testimony you provided earlier. I believe you testified that, in advance of the July 25th call, you'd prepared some talking points. Is that right?

A Correct.

Q And you also indicated that you drafted a press release in advance of the call?

A Correct.

Q That would be the American readout of the call?

A Correct.

Q And is that something that you would normally do in advance of a head-of-state call?

A Absolutely.

Q But I believe you testified that much of the press -- many

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of the talking points were not used by President Trump, correct?

A Correct.

Q And much of the press release had to be crossed out essentially?

A Pretty much.

Q And what did you have to cross out and why?

A So there were the substantive -- you know, not to sound inflammatory, but there were the substantive aspects for the call. So, besides the congratulatory message that we were, you know, looking to arrange between the Presidents, there was also a returning back to some of the other relevant issues.

As I recall, there was a talking point on, you know, broader reforms, broader anticorruption efforts. I want to say that there was a talking point on this effort that we had launched to [REDACTED]

[REDACTED] I know that certainly was, as time went on, that became a more significant element. So it was in later talking points, but I think that was also an element of it. You know, I don't recall what elements were crossed out.

Q Okay. But the release was never put out, correct?

A I think there was -- I believe we provided a short release on the call.

Q Are you sure about that?

A I believe. As I said, I believe --

Q Where would we look for it if we wanted to find the American readout of the President's call on July 25th with President Zelensky?

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A Yeah. So it would have been on the -- that's interesting. I guess, you know, if that's the case, that would have been something that I would have missed. We had a readout. It was ready to go. We made the fine-tuning adjustments to it after the call with the expectation it was going to get released.

I don't always follow up because, you know, once it's in the pipes, it might take some time to release it, but it happens. So it's possible that it didn't happen in this case.

Q Who normally does the release or releases it?

A It would go through NSC press to White House press, and then it would go out through White House press channels. I think, it would be -- it should be easily google-able or something.

Q And do you recall the sum and substance of what it said?

A It just -- we did say that there was a congratulatory -- you know, the President conducted a congratulatory call with President Zelensky. And, you know, I guess, I don't recall, but there's probably at least one or two other elements in there.

Q Did it mention the Bidens?

A No, it did not.

Q Did it mention the server?

A It did not. But these things wouldn't typically be in -- we wouldn't get to that level. It would be just the top line, so, no, it wasn't.

MR. NOBLE: I believe Chairman Engel has some questions.

MR. ENGEL: Thank you. Thank you very much.

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Colonel, you have to be highly qualified to serve on the NSC. Am I correct about that?

LT. COL. VINDMAN: In all cases but mine, Congressman.

MR. ENGEL: Have you received commendations and awards for your prior service?

LT. COL. VINDMAN: I have, Congressman.

MR. ENGEL: Okay. Can you name them?

LT. COL. VINDMAN: I'm wearing most of them. So I --

MR. ENGEL: That looks pretty good to me.

LT. COL. VINDMAN: Yeah. On this side would be the various unit awards that I received, service on Joint Staff, service in Moscow, service with my combat unit. On this side are my personal awards. The Purple Heart is the senior one, so it's the most recent one -- or at the top. But then you have the Joint Meritorious Service medal that I received from my time on the Joint Staff. Another Joint Meritorious Service medal from my time in Ukraine. You know, there's an Army Meritorious Service medal further back. I'm just going sequentially. And then, you know, other various awards and decorations.

But those are -- I mean, I'm not sure if that fully attests to my expertise. I guess, if anything speaks to that, it'd be the fact that I'm working on the National Security Council.

MR. ENGEL: Have you ever had your honor or integrity publicly attacked prior to your brave decision to come and testify here today?

LT. COL. VINDMAN: Only by the Russians.

MR. ENGEL: Do you believe that it is because you've come forward

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to tell Congress the truth about how the President's conduct has threatened our national security and Ukraine's in an effort to get help in the 2020 election?

MR. VOLKOV: If I can intervene here, I'd rather he not sort of weigh in on that. I don't think it's really appropriate to ask him, you know, that type of question.

LT. COL. VINDMAN: I was going to not answer anyway.

MR. VOLKOV: Well, but I just don't --

MR. ENGEL: Well, I ask these questions because I'm really just appalled by what I heard before, by what I'm told has been going on here today. I just want to thank you for your service to our country. It's quite clear from your sterling record that you've dedicated your life to protecting and advancing American interests, and your presence here today is very much in keeping with that record.

It would have been much easier for you to have stayed out of this. Your bravery in coming forward should be publicly commended by all of us in this room and by the entire country.

And as the chair of the Foreign Affairs Committee with the work I've done to protect and support the men and women of the State Department, I know how much the work that keeps our country safe and advances U.S. interests is being done every day by public servants and career officials such as yourself.

So I'm just sickened to see how some are trying to discredit and retaliate against you, including some disgusting attacks in the media that accuse you of dual loyalty. Dual loyalty kind of resonates with

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me because I'm also a Jewish American of Ukrainian descent.

And your life story resonates to me on a personal level. And to hear that kind of baseless, xenophobic slander is downright disgraceful. It's counter to everything this country stands for, and anyone pedaling that sort of ugly attack ought to be ashamed.

And I want to also underscore for the record that I stand in full solidarity with Chairman Schiff and others in the room here today. We must and we will resist any efforts to expose the identity of the whistleblower whose urgent concern relates to the matter we're discussing today or for that matter any other whistleblower facing similar risk of retaliation. Such efforts are really shameful and irresponsible.

Thank you.

THE CHAIRMAN: Our time has expired.

We are going to go to 45 minutes for the minority. Do you have a sense of how much longer you all have? Do you think you'll use the full 45 minutes? Just to give the witness an estimate.

MR. CASTOR: I know Mr. Zeldin and Mr. Perry have some questions.

MR. ZELDIN: I think so. Do you want to take a break?

THE CHAIRMAN: Well, I'm ready to go forward, unless the witness would like a break. I was just trying to give the witness a sense of how long we're going to be. I think we're pretty much done. We may have some followup to what you ask, but -- so the end is in sight.

Forty-five minutes to the minority.

MR. CASTOR: Mr. Zeldin. I have some things too after

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Mr. Zeldin and Mr. Perry.

MR. ZELDIN: Colonel Vindman, I believe you testified earlier that around the middle of August you started to receive inquiries from Ukraine with regards to assistance. Is that correct?

LT. COL. VINDMAN: That's accurate, yes.

MR. ZELDIN: Who did you hear from in Ukraine?

LT. COL. VINDMAN: So the inquiry that I'd be referring to would be from the Ukrainian deputy chief of mission, the person that I'd speak to in general most often from the Ukrainian -- you know, Ukrainian side.

MR. ZELDIN: Was it just that one person who reached out to you?

LT. COL. VINDMAN: Yes.

MR. ZELDIN: And that was around the middle of August?

LT. COL. VINDMAN: To the best of my recollection, that's correct.

MR. ZELDIN: Was that a phone call? An email? Something else?

LT. COL. VINDMAN: I would typically choose not to speak on the phone, and I tried to meet with countries that I'm responsible for, you know, a short conversation or something of that nature. So the answer is it would be face to face.

MR. ZELDIN: And what did --

LT. COL. VINDMAN: Although, you know, to be completely accurate, some of this would be coordinated by phone, by email, and then we would follow up with -- you know, I wouldn't get into substance until we met face to face.

MR. ZELDIN: Was there just one substantive interaction in

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person?

LT. COL. VINDMAN: I would say that my door was always open to any of the countries in my portfolio. And while I don't recall any specific instance, there was at least one; otherwise, you know, I wouldn't be talking about it. But there could have been more than one also.

MR. ZELDIN: And what did your counterpart ask you about regarding aid?

LT. COL. VINDMAN: So I think at that time, the story hadn't broken. I said it was kind of like soft queries. You know, do I have anything to say about these rumors about aid being withheld, security assistance aid being withheld.

MR. ZELDIN: Did your counterpart know that there was a hold on aid, or was he trying to find out whether there was a hold on aid?

LT. COL. VINDMAN: It probably was maybe that, and that, you know, she was -- she had heard rumors and she was trying to determine whether, in fact, this was the case.

MR. ZELDIN: When you say, "I believe it was that" --

LT. COL. VINDMAN: What you said. It would be the latter, which is that she was attempting to determine, you know, if I had anything to offer on the rumors that she's hearing, because, like I said, these were soft kind of inquiries. The news hadn't broken.

MR. ZELDIN: I believe earlier in the day you testified that you started to believe aid was conditioned on investigations in late August. Is that correct?

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LT. COL. VINDMAN: I don't think that's an entirely accurate characterization. I would say that the pressure of withholding aid, certainly after the story broke and at the national level, it was not -- it was no longer a question about it. That would apply additional pressure to obtain the deliverable.

I think that's a much more accurate way of putting it, as opposed to, you know -- because, again, at that point, the Ukrainians didn't know that there was -- that aid was being withheld. But once it became apparent it was, it was an added pressure point to obtain the deliverable.

MR. ZELDIN: Are you aware of any communications where the United States told Ukraine that aid would be conditioned -- that the hold on aid would only be released if these investigations -- these investigations, these specific investigations, were pursued?

LT. COL. VINDMAN: Congressman, it is my belief that the message -- and, again, this is my belief -- but that the message was clear. The Ukrainians had been attempting to obtain a bilateral meeting for several months in spite of the fact that one had been offered and a couple phone calls and a letter, and they hadn't managed to obtain that.

They had a conversation on the 25th of July in which, again, going back to it the way I characterized it, the President demanded an investigation and they still haven't achieved the meeting, and now they're learning about a hold on security assistance.

So I cannot -- you know, the logic there seems inescapable that

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this would be their view -- and I understand the Ukrainians. I understand their, you know, their national security needs and so forth, that they would believe that this was another point of pressure.

MR. ZELDIN: And do you have any firsthand knowledge of that being communicated to Ukraine?

LT. COL. VINDMAN: No. And I'm trying to remember if there was anything that may have emerged since. Certainly Ambassador Taylor's testimony, you know, seems to draw that conclusion, but I'm not aware of anything specific.

MR. ZELDIN: Speaking of --

LT. COL. VINDMAN: But I also wasn't involved in a lot of things towards the end of August.

MR. ZELDIN: Speaking of Ambassador Taylor and the end of August, how did you know that he had sent a cable to Secretary Pompeo on August 29th?

LT. COL. VINDMAN: Well, I mean, I learned about the first-person cable afterwards. Like I said, I don't recall exactly when. The normal pattern would be something as significant -- because I'm now recalling specifically another first-person cable that came from another ambassador. I packaged it and flagged it and sent it to my chain of command.

I don't recall doing that in this case. So, at some point I learned about it, but I guess it probably wasn't, you know, immediately -- you know, it wasn't for that specific date because I didn't take action to pass it forward.

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MR. ZELDIN: Do you recall how you learned about the August 29th cable?

LT. COL. VINDMAN: I don't recall.

MR. ZELDIN: So, just to be clear, you don't recall how or when you learned about the August 29th cable?

LT. COL. VINDMAN: Certainly, you know, the -- as Ambassador Taylor's -- as kind of the leaks associated with Ambassador Taylor's testimony unfolded, I saw that cable, but I also believe I had seen it some point previously.

MR. ZELDIN: On page four of the transcript where President Zelensky says, quote, "he or she will look into the situation specifically to the company that you mentioned in this issue," I believe earlier in the day you testified that as you were listening to the call you believe that President Zelensky said "Burisma"?

LT. COL. VINDMAN: That is in my contemporaneous notes. That is what President Zelensky said.

MR. ZELDIN: So, if that's true, then President Zelensky knew that the Biden reference was a reference to Burisma?

LT. COL. VINDMAN: That is correct.

MR. ZELDIN: And you testified earlier, I believe, that you thought it was significant that President Zelensky mentioned Burisma specifically because he wouldn't have otherwise known about the Burisma issue. Is that accurate?

LT. COL. VINDMAN: Could you restate that?

MR. ZELDIN: So we've been here for several hours, so, if at any

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point in asking a question or if you don't remember what you testified to, feel free to --

LT. COL. VINDMAN: Thank you.

MR. ZELDIN: -- just tell us whatever is on your mind.

But earlier in the day, I believe you testified that you felt it was significant that President Zelensky mentioned Burisma specifically because he wouldn't have otherwise known about Burisma.

LT. COL. VINDMAN: I think that's accurate. That's what I said. That's what I reported earlier.

MR. ZELDIN: And you believe that -- do you believe that President Zelensky knew about Burisma because President Trump was interested in Burisma or for some other reason?

LT. COL. VINDMAN: That's speculation. It could be that, or it could be -- frankly, at this point, I'm trying to remember if -- so I wasn't party to this, but it's possible that, you know, this element was coordinated, that President Zelensky knew what he had to kind of deliver in order to get his meeting.

But, you know, frankly, when I heard Burisma, that's what went through my mind, you know. Why is he talking about Burisma? He's the President of Ukraine. You know, there was something there that I didn't really know what to attribute it to, whether it was the fact that he was prepped or that he had been following, you know, the Giuliani narrative, and that's how he knew about it. But there was something there.

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[7:20 p.m.]

MR. ZELDIN: Are you familiar with the corruption case against Burisma and Zlochevsky?

LT. COL. VINDMAN: I'm aware of the fact that at some point in the past there was a corruption case that wasn't active as of the time of the call, and hadn't been for an extended period of time.

MR. ZELDIN: Are you aware of just how many investigations have taken place by the Office of the Prosecutor General and the National Anti-Corruption Bureau of Ukraine against Burisma's owner, Zlochevsky?

LT. COL. VINDMAN: I am not, but I wouldn't be surprised if there were numerous companies. As I mentioned, you know, in certain ways Burisma was notorious as a corrupt entity, and the oligarch responsible also.

MR. ZELDIN: Earlier you testified that significantly reducing the influence of oligarchs was connected to the anti-corruption effort in Ukraine. Is that accurate?

LT. COL. VINDMAN: That is accurate.

MR. ZELDIN: But do you know why -- do you know what was being investigated in this corruption case against Burisma and Zlochevsky most recently?

LT. COL. VINDMAN: So most recently would be going back some time because there was no active case against them, but I believe, if my memory serves, going back a few years, I think even as far back as, you know, 2016, there was an investigation into Burisma, and I frankly don't recall, there may have even been some sort of Hunter Biden

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exercise I don't recall. But we're going back a few years, and it's not something that I monitored very closely.

MR. ZELDIN: Are you familiar with the name Zlochevsky?

LT. COL. VINDMAN: Not in any substantive way.

MR. ZELDIN: So you're not aware that he headed Ukraine's Ministry of Environmental Protection from June 2010 to April 2012?

LT. COL. VINDMAN: No, my background is solidly on Russia and, frankly, having a good depth of knowledge in Ukraine, that's why they assigned me to it. But I was not following Ukraine and Ukraine internal matters closely until I arrived to the National Security Council, besides the war.

MR. ZELDIN: Earlier at today's testimony there was a reference made to a John Solomon article, and I don't want to put words in your mouth. Did you say that you believed that was a false narrative?

LT. COL. VINDMAN: Yes.

MR. ZELDIN: And that was based on authoritative sources?

LT. COL. VINDMAN: Yes.

MR. ZELDIN: And what were those authoritative sources?

LT. COL. VINDMAN: I talked to my interagency colleagues from State and the Intelligence Community, and asked them for some background or if there was anything substantive in this area.

MR. ZELDIN: And did they state that everything was false or did they just say that parts of it were false?

LT. COL. VINDMAN: So the parts that were most problematic were claims -- I'm trying to remember now because it unfolded over two

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periods, March and then again in April, which resulted in Ambassador Yovanovitch being recalled. So there was an element in which Ambassador Yovanovitch proffered a no prosecute list, which frankly, based on my experience with her, seemed preposterous.

There was the claim that, you know, this ludicrous claim of the fact that she was embezzling funds, withholding some \$4 million from Lutsenko and the reform funds to reform the prosecutor general's office. But really, frankly, all of this began because in the March timeframe, very close to the Presidential election, Ambassador Yovanovitch became highly critical of President Poroshenko and the justice system because one of Poroshenko's closest aides, a member of the National Security and Defense Council, his son was implicated in a corruption scandal in which they drastically inflated the cost of military goods that were then, you know, given to the cash-strapped -- that were sold to the cash-strapped Ministry of Defense for use on the front. The whole thing just was, you know, it smelled really rotten.

MR. ZELDIN: Did your sources, though, say that everything was false or just parts of it were false?

LT. COL. VINDMAN: I think all the key elements were false.

MR. ZELDIN: Just so I understand what you mean when you say key elements. Are you referring to everything John Solomon stated or just some of it?

LT. COL. VINDMAN: All the elements that I just laid out for you. The criticisms of corruption were false.

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MR. ZELDIN: You mentioned --

LT. COL. VINDMAN: Were there more items in there, frankly, Congressman? I don't recall. I haven't looked at the article in quite some time, but you know, his grammar might have been right.

MR. ZELDIN: Were any of your -- are you saying that every substantive statement made by John Solomon was false or are you saying --

MR. NOBLE: If you want to put the article in front of him so he can review it, then do that. But he just said he doesn't remember.

MR. ZELDIN: Well, the last answer seems to indicate that everything other than -- everything substantive was false, I just wanted to clarify.

LT. COL. VINDMAN: I've been a little light-hearted about 8 hours into this, so I apologize. Is this a record?

Not yet. Okay. But anyway, I apologize, Congressman. I joke around a little bit, so I apologize.

But as far as I recall, the key elements that Mr. Solomon put in that story that were again proffered by Lutsenko, a completely self-serving individual to save his own skin, and to advance the interest of the President, more than likely actually with the backing of the President of Ukraine, and extremely harmful to Ukraine's own interests, all those elements, as far as I recall, were false.

MR. ZELDIN: Okay. And I don't want you to repeat any other answers, I was specifically asking about your last comment, which was funny, we all laughed. I just wanted to be clear. Are you saying that

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everything unrelated to grammar and commas that your sources said were false?

LT. COL. VINDMAN: I think the most accurate way to do this is, I believe I thoroughly vetted this issue, and maybe the best thing to do would be to take a look at the story and we can identify if there's something in there that's accurate.

MR. ZELDIN: Were any of your sources outside of government?

MR. VOLKOV: Just to clarify, do you mean people or the media or --

MR. ZELDIN: The reference to authoritative sources, Colonel Vindman spoke about State Department and IC, I'm just wondering if any of his authoritative sources were outside of government?

LT. COL. VINDMAN: So the truly authoritative sources would be government -- governmental folks that I trust, they have a clearance, they have the depth analysis. In fact, I would use every available data point to help inform my assessments. So when I say that, I'm talking about Ukrainian language press, U.S. press, you know, discussions with foreign officials, Ukrainian or other -- I'd use all of this information to develop a clear picture of what was going on.

MR. ZELDIN: And on page 4 of the July 25th call transcript, the middle paragraph from President Zelensky. Towards the bottom of the paragraph, President Zelensky references Ambassador Yovanovitch as, quote, a bad Ambassador. Says, quote: Her attitude towards me was far from the best, that she admired the previous President and she was on his side. She would not accept me as a new President well enough.

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End quote. Do you know what President Zelensky was basing that position on?

LT. COL. VINDMAN: I don't, and I didn't necessarily sense the fact that she was resistant to President Zelensky. I think, in general, probably the broader interagency community that I kind of chaired or pulled together had a more conservative view in terms of, you know, whether President Poroshenko was going to win or whether President Zelensky was going to win. She had an established a relationship with President Poroshenko, maybe that was perceived by now President Zelensky that he didn't get adequate backing or something of that nature.

As a matter of fact, as I'm talking through this, I remember at least two occasions in which the first time she met with President Zelensky she offered a positive assessment of him. But, I mean, his perception is obviously different, but she offered a positive assessment, and then subsequently, a couple weeks later, she offered another positive assessment more so saying that he's a very quick learner, you know, inexperienced, but he's sharp.

MR. ZELDIN: Now, earlier you testified that as this process wears on, our relationship with Ukraine will be damaged. Is that accurate?

LT. COL. VINDMAN: I believe so. That's my assessment.

MR. ZELDIN: When you say as this process wears on, are you referring to this impeachment inquiry?

LT. COL. VINDMAN: Yes, Congressman.

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MR. ZELDIN: Your opinion is this impeachment inquiry is damaging our relationship with Ukraine?

LT. COL. VINDMAN: I think so, Congressman.

MR. ZELDIN: Where were you late 2015, early 2016, what was your position, location at the time?

LT. COL. VINDMAN: So one more time, the timeframe is what?

MR. ZELDIN: Late 2015, early 2016.

LT. COL. VINDMAN: So are we talking about -- so I know where I was throughout that entire period, but we're talking probably December through February of 2016, is that the period you're inquiring about?

MR. ZELDIN: Yes.

LT. COL. VINDMAN: So I was assigned to the staff of the Chairman of the Joint Chiefs as his Russia pol-military officer. As far as I recall -- so let's see. Is that the time -- that could have been -- that could have been supporting travel -- I would have to double check the dates, but the chairman had engagements with his counterpart, Gerasimov, and if I was out of the country, it would be for that. But I think this is might still be early on in my tenure and I was probably just in the bowels of the Pentagon somewhere.

MR. ZELDIN: Did you have Ukraine in your portfolio then?

LT. COL. VINDMAN: No.

MR. ZELDIN: When did you -- remind me, when did you take your position in charge of the Ukraine portfolio at NSC?

LT. COL. VINDMAN: July 2018.

MR. ZELDIN: And who did you take it from?

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LT. COL. VINDMAN: I took it from a State Department staff officer, and Congressman, to be -- just to be completely forthright, I was hired not to be -- to pick up Ukraine. I was actually hired because of my experience working Russia, putting together the Department of Defense's military strategy for Russia. That's why I was hired.

But they needed somebody to cover Ukraine, Moldova, and Belarus, and I said I was willing to do that. I had, you know, I was best positioned out of the cohort of folks that were coming in with the knowledge, the background knowledge and the language to be able to step in and pick up that role. So I said I'd be happy to do that.

MR. ZELDIN: You took over the Ukraine portfolio in July 2018?

LT. COL. VINDMAN: Correct.

MR. ZELDIN: And you're scheduled to have it until about July 2020?

LT. COL. VINDMAN: If things go as planned.

MR. ZELDIN: Is that a typical 2-year term?

LT. COL. VINDMAN: Actually, I was initially hired for a year, and the Army wanted me to come back. Dr. Hill asked me to stay for a second year, and I thought I could serve better on the National Security Council, so I stayed.

MR. ZELDIN: And who is the person that you took over the Ukrainian portfolio from?

LT. COL. VINDMAN: Catherine Croft. She was the last senior advisor to Ambassador Volker.

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MR. ZELDIN: And how long of a term did she have with the Ukraine portfolio?

LT. COL. VINDMAN: I don't recall. I don't recall. I think it was either a 1 or 2-year term. I think -- it was a 1-year term.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

LT. COL. VINDMAN: Okay.

MR. ZELDIN: Earlier you testified that it was not in the U.S. national security interests when the President brought up investigating interference in the 2016 election and Joe Biden and Burisma. Is that accurate?

LT. COL. VINDMAN: Could you restate that?

MR. ZELDIN: I believe earlier in the day you testified that the President referencing investigating interference in the 2016 election and Joe Biden and Burisma not to be in United States national security interests?

LT. COL. VINDMAN: Actually, I'd go back to my statement, and I'd just refer to my statement, which -- just looking at it here. Where is it? So to be clear, and this remains my view to be consistent. I

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listened to the call in the Situation Room with my colleagues from the NSC and Office of the Vice President, as the transcript is in the public record, we are aware of what was said. I was concerned by the call. I did not think it was proper to demand that a foreign government investigate a U.S. citizen, and I was worried about the implications for U.S. Government support to Ukraine.

I realized that if Ukraine pursued an investigation into the Bidens and Burisma it would be interpreted as a partisan play, which undoubtedly would result in Ukraine losing the bipartisan support it has thus far maintained. This would undermine U.S. national security. And then following the call I reported to senior --

MR. ZELDIN: Investigating interference in the 2016 election wasn't a request to investigate a U.S. citizen, correct?

LT. COL. VINDMAN: No, it wasn't.

MR. ZELDIN: And earlier, as you were speaking with Mr. Malinowski, you were talking about some of the allegations related to Ukrainian interference in the 2016 election, correct?

LT. COL. VINDMAN: One more time, please.

MR. ZELDIN: I believe earlier you were answering questions from Mr. Malinowski where you were talking about some of the allegations regarding Ukrainians interfering in the 2016 election. Is that correct?

LT. COL. VINDMAN: What -- I apologize --

MR. ZELDIN: Oh, I'm sorry, he's not here. Earlier, though, you were answering questions from a Member --

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LT. COL. VINDMAN: Okay.

MR. ZELDIN: -- about some of the allegations that exist related to Ukrainians interfering in the 2016 election. Do you recall that?

LT. COL. VINDMAN: Yes. Was that the gentleman that kind of went through the -- Ambassador Chaly's statement?

MR. ZELDIN: Yes. I believe you spoke about Ambassador Chaly's statement and you're familiar with the issue with the Black Ledger and Mr. Manafort?

LT. COL. VINDMAN: Yes.

MR. ZELDIN: Have you ever heard of the name [REDACTED]?

LT. COL. VINDMAN: I never met this person. I heard it in the nature of this investigation unfolding.

MR. ZELDIN: And these are some of the allegations that existed. You're familiar with the investigation that Robert Mueller conducted regarding interference in the 2016 election?

LT. COL. VINDMAN: The investigation --

MR. ZELDIN: The special counsel investigation.

LT. COL. VINDMAN: Yes, on Russian interference.

MR. ZELDIN: Do you believe that that investigation was in the best interest of the U.S. national security?

LT. COL. VINDMAN: Yes.

MR. ZELDIN: And if there are allegations regarding other foreigners interfering with the 2016 election, wouldn't that also be in U.S. best -- wouldn't that also be in U.S. national security interest?

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LT. COL. VINDMAN: Congressman, I would say yes, but I also feel obligated to say that I don't have anything to suggest that these were particularly credible allegations. But, frankly, that's not even why I followed up. As I said in my statement, I was concerned about the call to investigate a U.S. citizen by a foreign power.

MR. ZELDIN: You weren't concerned about the request that the President made with regard to the 2016 elections?

LT. COL. VINDMAN: I don't think there was a huge amount of substance to substantiate it, but that's not the element that was particularly troubling. The element that was troubling is the element that I've, you know, stated repeatedly here now, that it was a foreign power investigating -- a foreign power that doesn't have an entirely credible justice system, yet, they are striving to move in that direction. Frankly, any foreign power to advance its own national security interest could do whatever they think they need to, but in this case it was a concern about a call for foreign power to investigate a U.S. citizen.

MR. ZELDIN: So just to be clear, your concern was about the -- was about one investigation not both investigations. It was with regard to Burisma -- the Burisma investigation as opposed to an investigation regarding the 2016 election?

LT. COL. VINDMAN: Congressman, you know, I guess I'd have to -- if we're parsing it, I'd have to think about it. I think I may have even said that in my view at some point these became not separate investigations, but basically one -- you know, when there's a call for

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investigations, I understood it to mean both elements because that was the narrative that had evolved and that was the narrative that was out there that was being promoted by Mr. Giuliani.

And, you know, I guess I could spend some time thinking about which element bothered me more, I think it's the investigation of a U.S. citizen. But I also, Congressman, I could say that in my -- as the director for Ukraine handling this portfolio for the National Security Council, I didn't think that that was, you know, there was that much there there and that, frankly -- we needed to focus on helping the Ukrainians root out corruption in general, implementing reforms. We at that point had been reporting consistently that the Ukrainians were making headway. That, you know, it's above my pay grade, that's what the President wants to do, I guess, you know, it's his prerogative. But I'm going back to what I said in the statement was that the investigation -- what I thought warranted at least a communication with the lead counsel was the call to investigate the U.S. citizen.

MR. ZELDIN: But your notes from the July 25th call, you believe that President Zelensky referred to Burisma in response to the President's reference to Biden?

LT. COL. VINDMAN: That is absolutely in my notes.

MR. ZELDIN: And Burisma is a natural gas producer in Ukraine that was investigated for corruption. Correct?

LT. COL. VINDMAN: My understanding is, yes, it was.

MR. ZELDIN: Run by a Ukrainian oligarch investigated for corruption?

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LT. COL. VINDMAN: That is my understanding, Congressman.

MR. ZELDIN: Paying the son of the sitting Vice President at least \$50,000 a month?

MR. ZELDIN: Correct? Is that your understanding?

LT. COL. VINDMAN: Congressman, that's all accurate. But I guess if we're going down this road, there are multiple entities in Ukraine that are corrupt. Frankly, some of them much bigger. There's an entity that's being run by Firtash, it's called the Obligaz, in this particular entity, and this is something that we've been struggling with in order to get -- help Ukraine achieve energy independence and --

MR. ZELDIN: Just for sake of time.

LT. COL. VINDMAN: I apologize, I'll be brief.

MR. ZELDIN: I know we're going on a tangent here.

LT. COL. VINDMAN: I'll be brief. There are much, much bigger issues. And this particular issue has a material effect on the price that the Ukrainian citizens pay in terms of tariffs, on the viability of Naftogaz, which is a core state-owned enterprise. And this particular entity has its very interesting arbitrage case in which they are obligated to sell gas, but are not obligated to pay for that gas.

So if we're going to go after things that really matter, that would seem to be one that we should go after. There are, I think, in the defense sector, I think, again, corruption is endemic.

MR. ZELDIN: We're out of time, so I just want to give you a little bit of rope to go on a tangent, but I know my colleagues have some more questions, too. So you're acknowledging that Burisma and Zlochevsky

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did have a corruption issue, and that there was this issue with Hunter Biden.

LT. COL. VINDMAN: To the best of my knowledge, Congressman.

MR. ZELDIN: But it wasn't corrupt enough for the President to --

LT. COL. VINDMAN: That's an interesting way to put it, Congressman. I guess all I'm saying is that -- I guess the contention is that, you know, there was an effort to fight corruption and, you know, what's being investigated is something that's connected to a U.S. citizen who's a son of a President -- or a Vice President and a future contender for 2020. I guess, you know, I don't think -- certainly I'm not the brightest guy in this room, but there seems to be something -- some sort of connection there, there are much bigger issues.

And my concern that I was expressing to my leadership within the chain of command was specifically about this, these investigations, and certainly the call for foreign power to investigate a U.S. citizen.

MR. ZELDIN: But did you vet that case as to whether or not there was actual corruption with regards to the hiring of Hunter Biden?

LT. COL. VINDMAN: I don't have any specific knowledge of this, Congressman, but, you know, my understanding is that, you know, power -- again, I'm not the smartest guy, but that power and prominence oftentimes translates to wealth and opportunities for, you know, for individuals and for their offspring.

MR. ZELDIN: Are you aware of whether or not Hunter Biden was qualified for that position?

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LT. COL. VINDMAN: From what I understand, it doesn't look like he was.

MR. CASTOR: Mr. Perry.

MR. PERRY: Thanks, Colonel, and congratulations on ascension to the War College. I guarantee you it will probably feel like it's lasting longer than this when you're there. Out of curiosity, when did you -- it says on page 1 of your opening statement, you served at the embassy in Ukraine. What year or years were you there?

LT. COL. VINDMAN: So in Ukraine, as a Foreign Area Officer, you go through an extensive training pipeline. I'm not sure if you're familiar with the program. In that program you learn language, you go to graduate school, they sent me, free of charge, to Harvard, and then you get to do something called in-country training, regional immersion. And I did that following language. So 2009 to 2010 before going on to graduate school.

MR. PERRY: So 2009 to 2010?

LT. COL. VINDMAN: Summer of 2009 to 2010.

MR. PERRY: Thank you. You're aware that a major benefactor to President Zelensky is this guy, Zlochevsky, who is tied to Burisma, are you not?

LT. COL. VINDMAN: I'm, frankly, not aware of that fact. There are more problematic individuals that we've actually raised for leadership to engage on. There's a gentleman named Kolomoisky who is a media magnet and owns the movie -- the TV channel that was backing President Zelensky as he was advancing his campaign. And the most

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pressing issue is whether President Zelensky is in fact supporting activities of Kolomoisky. The gentleman, Burisma, and these other connections, I'm not aware of them with President Zelensky.

MR. PERRY: Okay. I need to truncate my questions apparently. Let me move on to something else here. You said in previous rounds that you didn't think -- I don't want to put words in your mouth, but this is my recollection, so if you want to correct it and make it your own, I encourage you to do it.

You said in previous rounds that you didn't think it was appropriate that officials, whether it was Sondland or others, should reference investigations when there were none being conducted. Is that about right? I remember something to that effect.

LT. COL. VINDMAN: So, Congressman, I think maybe the more appropriate way to phrase this is that I didn't think it was appropriate for government officials to act on and advance the narrative of these influencers that were operating counter to the consensus policy for Ukraine, and I didn't think it was appropriate to advance -- to interact with them or advance those interests.

MR. PERRY: Okay. So, yet, no problem then with officials referencing the investigations, whether it was Sondland or anyone else? Because I remember you saying that, I just -- it's not in your opening statement, but I'm pretty sure you said something to that effect and I just want to clarify that.

LT. COL. VINDMAN: So if you're referring to the point in my statement where I identified Ambassador Sondland, this is page 5,

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second paragraph. Ambassador Sondland started to speak about Ukraine delivering specific investigations in order to secure the meeting with the President at which time Ambassador Bolton cut the meeting short. Is that what we're talking about?

MR. PERRY: It could have been. I mean, I'm more interested in your aversion to pursuing, talking about investigations --

LT. COL. VINDMAN: I understand.

MR. PERRY: -- as a matter of course in these discussions.

LT. COL. VINDMAN: So I don't think that's an accurate characterization, Congressman. What I would say is that what I had an issue with, and maybe it's the military mindset. We had all come together in various meetings and charted a course for Ukraine. We did this through multiple efforts at the sub-policy coordinating committee level with deputy assistant secretary equivalent, and then we confirmed that approach at a PCC with assistant secretaries.

That means at that point everybody below -- everybody that you're referring to, Sondland and Volker, fall within that level. And if we agreed to move into a particular direction, I believe it would be appropriate to move in that direction. If you're moving counter to that then there's an issue. And this is I think something that Dr. Hill also, you know, some concerns about.

MR. PERRY: Okay. Now, are you aware that there was a notice of suspicion reported in open source reporting in April 2019 that an investigation was or essentially what we would characterize as an investigation based on what they call a notice of suspicion had been

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either reinstated or commenced regarding individuals, including Zlochevsky?

LT. COL. VINDMAN: Yeah. So the timing is -- I vaguely recall this, but the timing is consistent with Mr. Lutsenko advancing a self-servicing, self-promoting narrative -- a self-preserving narrative to ensure that he was serving his current master's interest and securing his position for his future master.

MR. PERRY: Right.

LT. COL. VINDMAN: So the fact that, if I recall correctly, the fact that the Ukrainian prosecutor general took this kind of action to, again, you know, to what he thought was caterer to, you know, curry favor doesn't surprise me.

MR. PERRY: But does that mean that there was no -- there was no notice of suspicion that there was no investigation?

LT. COL. VINDMAN: Congressman, I would bring your attention to the fact that in, I want to say the May timeframe, Mr. Lutsenko recanted and said that there was no such -- there was no substance or there was nothing really to look into.

MR. PERRY: So you're saying there was no investigation?

LT. COL. VINDMAN: Correct.

MR. PERRY: Okay. That's your testimony. Okay. I yield.

LT. COL. VINDMAN: As of the time the call occurred, the July 10th, the incidents that I brought to -- I guess I voiced concern, the 10th of July and the 25th of July there was no active investigation. And, frankly, you know, I think I earlier said that there had not been

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an active investigation for years. You may have corrected me in terms of pointing out that there was a short period of time in which this prosecutor general, not credible individual, you know, tried to resurface this narrative to protect himself, and then recanted very shortly thereafter. So --

MR. PERRY: I yield.

BY MR. CASTOR:

Q Is there concern [REDACTED]
[REDACTED] about Kolomoisky's influence on Zelensky?

A There is.

Q Did that hold -- that concern, did that hold up any official meetings or visits?

A It did not. As part of our policy of increasing engagement and focusing on the areas I've already addressed, we thought it best to, through engagement, coach, advise President Zelensky of the concerns that were surrounding his relationship with Mr. Kolomoisky, and have him realize that, you know, this is problematic for his, you know, his platform and his persona as an anti-corruption reformer. This was going to be problematic.

Frankly, now is this issue starting to get somewhat resolved in that Mr. Kolomoisky owned an interest called PrivatBank from which he stole \$5.5 billion, and he was looking to do a couple of different things. One, recoup that interest. Potentially, you know, eliminate this idea of paying back the \$5.5 million or looking for a couple of compensation -- a couple of billion dollars in compensation after

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stealing \$5.5 billion.

So we had concerns continuously that this relationship was problematic. And, frankly, only recently have there been kind of the right signals sent that, you know, Kolomoisky wasn't going to be able to reacquire this interest and destabilize Ukraine and so forth. And this is also, in fact, one of the key sticking points to the IMF granting, you know, granting the next -- I apologize for the term-of-art, but the next kind of -- the next loan package that's supposed to run through several years. But, again, you know, I think through engagement we've probably had some positive effects.

MR. CASTOR: Time's up.

THE CHAIRMAN: Colonel, I want to thank you for your testimony today. I want to thank you for your service to the country. We're grateful that we have such patriotic Americans, and we are adjourned.

[Whereupon, at 7:55 p.m., the deposition was concluded.]