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: DAVID A. HOLMES

Friday, November 15, 2019

Washington, D.C.

The deposition in the above matter was held in Room HVC-304, Capitol Visitor Center, commencing at 4:12 p.m.

Present: Representatives Schiff, Carson, Speier, Quigley, Swalwell, Castro, Heck, Welch, Sean Patrick Maloney of New York, Demings, Turner, Wenstrup, Stewart, Stefanik, Ratcliffe, and Jordan.

Also Present: Representatives Carolyn B. Maloney of New York, Lieu, Connolly, Raskin, Wasserman Schultz, Meadows, Zeldin, and Roy.

Appearances:

For the PERMANENT SELECT COMMITTEE ON INTELLIGENCE:

[redacted]

For the COMMITTEE ON OVERSIGHT AND REFORM:

[redacted]

For the COMMITTEE ON FOREIGN AFFAIRS:

[redacted]

For DAVID A. HOLMES:

KEN WAINSTEIN

PAUL J. NATHANSON

KATHERINE SWAN

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THE CHAIRMAN: All right. The committee will come to order.

As we are getting a late start -- and I thank you, Mr. Holmes, for being here, and thank you for being patient with us as we were concluding another hearing -- with my colleagues' permission, I am going to just submit my opening statement for the record so that we can move quickly to the deposition. I know people have planes and other things they'd like to catch.

I would encourage the minority, if you have any opening statement, to submit it for the record.

MR. JORDAN: I'm fine with that. One question.

THE CHAIRMAN: Yeah.

MR. JORDAN: When might we get those four transcripts, and can we have them before the next hearing? I think Mr. Vindman, Colonel Vindman, is scheduled for Tuesday. The four that haven't been released.

THE CHAIRMAN: I will double check with my staff, but I am hopeful that they will all be out by then.

MR. JORDAN: Okay.

THE CHAIRMAN: At least the ones we've done so far.

MR. JORDAN: I understand Mr. Holmes, we would like, obviously, his done as quickly as possible, we certainly want those four --

THE CHAIRMAN: Yeah.

MR. JORDAN: -- before the next.

THE CHAIRMAN: Yeah, I think that is very doable, and we will try to put them out as soon as we can. But I think that should be doable.

If it turns out not to be, I will get back to you.

I'm going to yield to Mr. Noble.

MR. NOBLE: Thank you Mr. Chairman.

This is a deposition of Mr. David Holmes, conducted by the House Permanent Select Committee on Intelligence, pursuant to the impeachment inquiry announced by the Speaker of the House on September 24th, 2019.

Mr. Holmes, could you please state your full name and spell last for the record? And if can speak directly into the mike. Maybe pull it a little bit closer to you. They're very sensitive.

MR. HOLMES: Yes. David Andrew Holmes. The last name is spelled H-o-l-m-e-s.

MR. NOBLE: Thank you.

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 Noble. I am a senior counsel, senior investigative counsel for HPSCI on the majority staff. And I want to thank you for coming in today for this deposition.

I'd like to do brief introductions. To my right is Daniel

Goldman, the director of the investigations for the HPSCI majority staff. Mr. Goldman and I will be conducting most of the interview for the majority today.

I'll now let my counterparts for the minority introduce themselves.

MR. CASTOR: Steve Castor with the Republican staff.

[redacted]

MR. NOBLE: This deposition with be conducted entirely at the unclassified level. However, the deposition is being conducted in HPSCI's secure spaces and in the presence of staff with appropriate 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're reminded that Executive Order 13526 states that, quote, "In no case shall information be classified, continue to be maintained as classified, or fail to be declassified," unquote, for the purpose of concealing any violations of law or preventing embarrassment of any person or entity. If any of our questions can only be answered with classified information, please inform us of that and we'll 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 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 deposition, which we have previously provided to your counsel.

The deposition will proceed as follows. The majority will given 1 hour to ask questions, then the minority will be given 1 hour to ask questions. Thereafter, we will alternate back and forth between majority and minority in 45-minute rounds until questioning is complete.

We'll take periodic breaks, if necessary. And 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're permitted to have an attorney present during this deposition, and I see that you have brought some.

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

MR. WAINSTEIN: Good afternoon. Ken Wainstein, Davis Polk & Wardwell, with my colleagues.

MS. SWAN: Katherine Swan, Davis Polk & Wardwell.

MR. NATHANSON: And Paul Nathanson from Davis Polk.

MR. NOBLE: Thank you.

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 wait until you finish your response before asking you the next question.

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

We ask that you give complete replies to questions based on your best recollection. If a question is unclear or you're uncertain in your response, please let us know. And if you do not know the answer to the 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 on privilege, the 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're required to answer the question.

Finally, you're reminded that it is unlawful to deliberately provide false information to Members of Congress or congressional staff. It is imperative, therefore, 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 statement.

As this deposition is under oath, Mr. Holmes, would you please

stand and raise your right hand to be sworn?

Do you swear that your testimony provided here today will be the whole truth and nothing but the truth?

MR. HOLMES: I do.

MR. NOBLE: Thank you.

Let the record reflect the witness has been sworn.

You can be seated.

And now, Mr. Holmes, if you have an opening statement or if your attorney has any matters that need to be discussed, now is the time.

MR. HOLMES: Okay. I do have an opening statement.

THE CHAIRMAN: You may proceed. Thank you.

MR. HOLMES: Thank you, Mr. Chairman and members of the committees. Good afternoon. My name is David Holmes. I'm a career Foreign Service officer with the Department of State. Since August 2017, I have been the political counselor at the U.S. Embassy in Kyiv, Ukraine.

While it is an honor to appear before you today, I want to make clear that I did not seek this opportunity to testify today. You have determined that I may have something of value to these proceedings, and it is therefore my obligation to appear and to tell you what I know. Indeed, Secretary Pompeo stated last week: I hope everyone who testifies will do so truthfully and accurately, when they do, the oversight role will have been performed and I think America will come to see what took place here.

That is my goal today, to testify truthfully and accurately, to

enable you to perform that role. And to that end, I have hurriedly put together this statement over the past couple days to describe as best I can my recollection of events that may be relevant to this matter.

I've spent my entire professional career serving my country as a Foreign Service officer. Prior to my current post in Kyiv, Ukraine, I served at the Embassy in Moscow, Russia, as Deputy and Internal Unit Chief in the Political Section, and before that as Senior Energy Officer in the Economic Section. In Washington, I serve on the National Security Council staff as Director for Afghanistan and as Special Assistant to the Under Secretary of State.

My prior overseas assignments include New Delhi, India; Kabul, Afghanistan; Bogota, Colombia; and Pristina, Kosovo. I am a graduate of Pomona College in Claremont, California, and received my graduate degrees in international affairs from the University of St. Andrews in Scotland and from Princeton University's Woodrow Wilson School of Public and International Affairs.

As the political counselor at Embassy Kyiv, I lead the Political Section covering Ukraine's domestic politics, foreign policy, and conflict diplomacy, and serve as the senior policy and political advisor to the Ambassador.

The job of an embassy political counselor is to gather information about the host country's internal politics, foreign relations, and security policies, report back to Washington, represent U.S. policies in the foreign -- in that country, and advise the Ambassador on policy development and implementation.

In this role, I'm a senior member of the Embassy's Country Team and continually involved in addressing issues as they may arise. I'm also called upon to take notes in meetings involving the Ambassador or visiting senior U.S. officials with Ukrainian counterparts, particularly within the Ukrainian Presidential administration.

For this reason, I have been present in many meetings with President Zelensky and his administration, some of which may be germane to this inquiry. Other issues that may be relevant to this inquiry, including energy and the justice sector, did not fall under my specific portfolio, and I was not the expert, but I followed those issues inasmuch as they had a political component.

While I am the Political Counselor at the Embassy, it is important to note that I am not a political appointee or engaged in U.S. politics in any way. It is not my job to cover or advise on U.S. politics. On the contrary, I am an apolitical foreign policy professional, and my job is to focus on the politics of the country in which I serve, so that we can better understand the local landscape and better advance U.S. national interests there.

I joined the Foreign Service through an apolitical, merit-based process under the George W. Bush administration, and I have proudly served administrations of both parties and worked for their appointees, both political and career.

I arrived in Kyiv to take up my assignment as Political Counselor in August 2017, a year after Ambassador Yovanovitch received her appointment. From August 2017 until her removal from post in May 2019,

I was Ambassador Yovanovitch's chief policy advisor and developed a deep respect for her dedication, determination, and professionalism.

During this time, we worked closely together, speaking multiple times per day, and I accompanied Ambassador Yovanovitch to many of her meeting with senior Ukrainian counterparts. I was also the notetaker for senior U.S. visitors with, for example, President Poroshenko, whom I met at least a dozen times.

Our work in Ukraine focused on three pillars: addressing peace and security, economic growth and reform, and anti-corruption and rule of law. These pillars matched the three consistent priorities of the Ukrainian people since 2014, as measured in public opinion polling, namely, an end to the conflict with Russia that restores national unity and territorial integrity, responsible economic policies that deliver European standards of growth and opportunity, and effective and impartial rule of law institutions that deliver justice in cases of high level official corruption.

Our efforts on this third pillar merit special attention -- special mention, because it was during Ambassador Yovanovitch's tenure that we achieved the hard-fought passage of a law establishing an independent anti-corruption court to try corruption cases brought by the National Anti-Corruption Bureau, another independent institution established with U.S. support.

These efforts strained Ambassador Yovanovitch's relationship with President Poroshenko and some of his allies, including former Prosecutor General Yuriy Lutsenko, who resisted fully empowering truly

independent anti-corruption institutions that would help ensure that no Ukrainians, however powerful, were above the law. However, the Ambassador and the Embassy kept pushing anti-corruption and other pillars of our policy toward Ukraine.

Beginning in March 2019, the situation at the Embassy and in Ukraine changed dramatically. Specifically, our diplomatic policy that had been focused on supporting Ukrainian democratic reform and resistance to Russian aggression became overshadowed by a political agenda being promoted by Rudy Giuliani and a cadre of officials operating with a direct channel to the White House.

That change began with the emergence of press reports critical of Ambassador Yovanovitch and machinations by Mr. Lutsenko and others to discredit her. In mid-March 2019, an Embassy colleague learned from a Ukrainian contact that Mr. Lutsenko had complained that Ambassador Yovanovitch had, quote, unquote, destroyed him, with her refusal to support him until he followed through with his reform commitments and ceased using his position for personal gain.

In retaliation, Mr. Lutsenko made a series of unsupported allegations against Ambassador Yovanovitch, mostly suggesting that Ambassador Yovanovitch improperly used the Embassy to advance Democrats' political interests. Mr. Lutsenko claimed that the Embassy had ordered NABU to investigate the former head of Ukraine's tax service, solely because the former head was the main Ukrainian contact of the Republican Party and of President Trump personally.

Mr. Lutsenko also claimed that the Embassy had pressured former

Prosecutor General Shokin to engineer the closing of the case against former Minister of Ecology Zlochevsky because of the connection between his company, Burisma, and former Vice President Biden's son. Mr. Lutsenko said that after Ambassador Yovanovitch's posting in Kyiv, she would face, quote, unquote, serious problems in the United States.

Embassy colleagues also heard from a reporter that Mr. Lutsenko had made additional unsupported claims against Ambassador Yovanovitch, including that she had allegedly given him a, quote, unquote, do not prosecute list containing the names of her supposed allies, an allegation the State Department called an outright fabrication and that Mr. Lutsenko later retracted. Mr. Lutsenko also alleged he never received an estimated $4.4 million in U.S. funds intended for his office. And, finally, he alleged that there was a tape of the current head of NABU saying he was trying to help Hillary Clinton win the 2016 election.

Public opinion polls in Ukraine indicated that Ukrainians generally did not believe Mr. Lutsenko's allegations, and on March 22nd, President Poroshenko issued a statement in support of Ambassador Yovanovitch.

Around this same time, the Ukrainian Presidential election was approaching, and Volodymyr Zelensky was surging in the polls, ahead of Mr. Lutsenko's political ally, President Poroshenko. On April 20th, I was present for Ambassador Yovanovitch's third and final meeting with then candidate Zelensky, ahead of his landslide victory in the runoff election the next day. As in her two prior meetings that

I also attended, they had an entirely cordial, pleasant conversation and signaled their mutual desire to work together.

On April 26th, Ambassador Yovanovitch departed for consultations in Washington, D.C., where she learned she would be recalled. I do not know the details of her conversations in Washington until I read her deposition statement, but it was clear at the time she was being removed early.

The barrage of allegations directed at Ambassador Yovanovitch, a career ambassador, which included aggressive reporting against her in the U.S. media, is unlike anything I've seen in my professional career.

Following President-elect Zelensky's victory, our attention in the Embassy focused on getting to know the incoming Zelensky administration and coordinating with Washington on preparations for the inauguration scheduled for May 20th, the same day Ambassador Yovanovitch departed post permanently.

In early May, shortly after Mr. Giuliani cancelled a visit to Ukraine, alleging Mr. Zelensky was, quote, unquote, surrounded by enemies of the U.S. President, we learned that Vice President Pence no longer planned to lead the Presidential delegation to the inauguration. The White House ultimately whittled back an initial proposed list for the official delegation to the inauguration from over a dozen individuals to just five: Secretary Perry, as its head, Ambassador to the European Union Gordon Sondland, Special Representative for Ukraine Negotiations Kurt Volker, representing the

State Department, National Security Council Director Alex Vindman, representing the White House, and temporary acting Charge d'Affaires Joseph Pennington, representing the Embassy.

While Ambassador Sondland's mandate as Ambassador to the European Union did not cover individual member states, let alone nonmember countries like Ukraine, he made clear that he had direct and frequent access to President Trump and Chief of Staff Mick Mulvaney and portrayed himself as the conduit to the President and Mr. Mulvaney for that group.

Ambassador Perry -- sorry, excuse me -- Secretary Perry, Ambassador Sondland, and Ambassador Volker later styled themselves the Three Amigos and made clear they would take the lead on coordinating our policy and engagement with the Zelensky administration.

Around the same time, I became aware that Mr. Giuliani, a private lawyer, was taking a direct role in Ukrainian diplomacy. On April 25th, Ivan Bakanov, who was Mr. Zelensky's childhood friend, campaign chair, and ultimately appointed head of the Security Services of Ukraine, indicated to me privately that he had been contacted by, quote, someone named Giuliani, who said he was an advisor to the Vice President, unquote. I reported Mr. Bakanov's message to Deputy Assistant Secretary of State George Kent.

Over the following months, it became apparent that Mr. Giuliani was having a direct influence on the foreign policy agenda that the Three Amigos were executing on the ground in Ukraine. In fact, at one point during a preliminary meeting of the inaugural delegation, someone in the group wondered aloud about why Mr. Giuliani was so active in

the media with respect to Ukraine. My recollection is that Ambassador Sondland stated: Dammit, Rudy. Every time Rudy gets involved he goes and effs everything up. He used the "F" word.

The inauguration took place on May 20th, and I took notes in the delegation's meeting with President Zelensky. During the meeting, Secretary Perry passed President Zelensky a list of, quote, "people he trusts" from whom Zelensky could seek advice on energy sector reform, which was the topic of subsequent meetings between Secretary Perry and key Ukrainian energy sector contacts, from which Embassy personnel were excluded by Secretary Perry's staff.

On May 23rd, Ambassador Volker, Ambassador Sondland, Secretary Perry, and Senator Ron Johnson, who also attended the inauguration, though not in the official delegation, returned to the United States and briefed President Trump. On May 29th, President Trump signed a congratulatory letter to President Zelensky, which included an invitation to visit the White House at an unspecified date.

It is important to understand that a White House visit was critical to President Zelensky. He needed to demonstrate U.S. support at the highest levels, both to advance his ambitious anti-corruption agenda at home and to encourage Russian President Putin to take seriously President Zelensky's peace efforts.

President Zelensky's team immediately began to press to set a date for the visit. President Zelensky and senior members of his team made clear they wanted President Zelensky's first overseas trip to be to Washington to send a strong signal of Western support, and requested

a call with President Trump as soon as possible.

We at the Embassy also believed that a meeting was critical to the success of President Zelensky's administration and its reform agenda and we worked hard to get it arranged.

When President Zelensky's team did not receive an affirmative reply, they made plans for President Zelensky's first overseas trip to be to Brussels, in part to attend an American Independence Day event that Ambassador Sondland hosted on June 4th. Ambassador Sondland hosted a dinner in President Zelensky's honor following the reception, which included President Zelensky, Jared Kushner, Ulrich Brechbuhl, Federica Mogherini, and comedian Jay Leno, among others.

In the week leading up to the event, Ambassador Sondland, Secretary Perry, and Secretary Perry's staff were taking a very active and unconventional role in formulating our priorities for the new Zelensky administration and personally reaching out to President Zelensky and his senior team.

Ambassador Bill Taylor arrived in Kyiv as Charge d'Affaires on June 17th. For the next month, a focus of our activities, along with the Three Amigos, was to coordinate a White House visit, and to that end, we were working with the Ukrainians to deliver things that we thought President Trump might care about, such as commercial deals benefiting the United States.

Ambassador Taylor reported that Secretary Pompeo had told him prior to his arrival in Kyiv, quote, We need to work on turning the President around on Ukraine, unquote. Ambassador Volker told us the

next 5 years, which I took to mean President Zelensky's term in office, would hang on what we could accomplish in the next 3 months.

Within a week or two, it became apparent that the energy sector reforms, the commercial deals, and the anti-corruption reforms on which we were making some process were not making a dent in terms of persuading the White House to schedule a meeting between the Presidents.

On June 27th, Ambassador Sondland told Ambassador Taylor in a phone conversation, the gist of which Ambassador Taylor shared with me at the time, that President Zelensky needed to make clear to President Trump that President Zelensky was not standing in the way of, quote, investigations. I understood that this was referring to the Burisma-Biden investigations that Mr. Giuliani and his associates had been speaking about in the media since March.

While Ambassador Taylor did not brief me on every detail of his communications with the Three Amigos, he did tell me that on a June 28th call with President Zelensky, Ambassador Taylor, and the Three Amigos, it was made clear that some action on a Burisma-Biden investigation was a precondition for an Oval Office meeting. We became concerned that even if a meeting could occur, it would not go well, and I discussed with Embassy colleagues whether we should stop seeking a meeting altogether.

I was present in the Embassy conference room for the National Security Council secure video conference call on July 18th when an Office of Management and Budget staff member surprisingly announced the hold on Ukraine security assistance near the end of an almost 2-hour

meeting. The official said that the order had come from the President and had been conveyed to OMB by Mr. Mulvaney without further explanation.

This began a week or so of efforts by various agencies to identify the rationale for the freeze, to conduct a review of the assistance, and to reaffirm the unanimous view of the Ukrainian policy community of its importance. NSC counterparts affirmed that there had been no change in our Ukraine policy, but could not determine the cause of the hold or how to lift it.

While I am aware of testimony regarding discussions between Ambassador Taylor, Ambassador Volker, and the Three Amigos on July 19th and 20th, I was not aware of those discussions at the time.

On July 25th, President Trump made a congratulatory phone call to President Zelensky after his party won a commanding majority in Ukraine's parliamentary election. Contrary to standard procedure, the Embassy received no read-out of the call, and I was unaware of what was discussed until the transcript was released on September 25th.

Upon reading the transcript, I was deeply disappointed to see that the President raised none of what I understood to be our interagency agreed-upon foreign policy priorities in Ukraine and instead raised the Biden-Burisma investigation and referred to the theory about CrowdStrike, which was supposedly connected to Ukraine and allegedly played a role in the 2016 election.

The next day, July 26, 2019, I attended meetings at the Presidential Administration Building in Kyiv with Ambassador Taylor,

Ambassador Volker, and Ambassador Sondland, and took notes during those meetings.

We first had a meeting with Andriy Bohdan, the Chief of Staff to President Zelensky. The meeting was brief, as Mr. Bohdan had already been summoned by President Zelensky to prepare for a subsequent broader meeting, but he did say that President Trump had expressed interest during the previous day's phone call in President Zelensky's personnel decisions related to the Prosecutor General's Office.

The delegation then met with President Zelensky and several other senior officials. During the meeting, President Zelensky stated that during the July 25th call, President Trump had, quote, unquote, three times raised, quote, unquote, some very sensitive issues, and that he would have to follow up on those issues when they met, quote, unquote, in person. Not having received a read-out of the July 25th call, I did not know what those sensitive issues were.

After the meeting with President Zelensky, Ambassador Volker and Ambassador Taylor quickly left the Presidential Administration Building for a trip to the front lines. Ambassador Sondland, who was to fly out that afternoon, stayed behind to have a meeting with Andriy Yermak, a top aide to President Zelensky.

As I was leaving the meeting with President Zelensky, I was told to join the meeting with Ambassador Sondland and Yermak as a notetaker. I had not expected to join that meeting and was a flight of stairs behind Ambassador Sondland as he headed to meet Mr. Yermak.

When I reached Mr. Yermak's office, Ambassador Sondland had

already gone in. I explained to Mr. Yermak's assistant that I was supposed to join the meeting as the Embassy's representative and strongly urged her to let me in. But she told me that Ambassador Sondland and Mr. Yermak had insisted that the meeting be held one-on-one with no notetaker.

I then waited in the anteroom until the meeting ended, along with a member of Ambassador Sondland's staff and a member of U.S. Embassy Kyiv staff.

When the meeting ended, the two staffers and I accompanied Ambassador Sondland out of the Presidential Administration Building and to the Embassy vehicle. Ambassador Sondland said that he wanted to go to lunch, and I told Ambassador Sondland I would be happy to join if he wanted to brief me out on the Yermak meeting or discuss other issues, and Ambassador Sondland said that I should join. The two staffers joined for lunch as well.

The four of us went to a nearby restaurant and sat on an outdoor terrace. I sat directly across from Ambassador Sondland, and the two staffers sat off to our sides. At first, the lunch was largely social. Ambassador Sondland selected a bottle of wine that he shared among the four of us, and we discussed topics such as marketing strategies for his hotel business.

During the lunch, Ambassador Sondland said that he was going to call President Trump to give him an update. Ambassador Sondland placed a call on his mobile phone, and I heard him announce himself several times, along the lines of: Gordon Sondland holding for the President.

It appeared that he was being transferred through several layers of switchboards and assistants. I then noticed Ambassador Sondland's demeanor change, and understood that he had been connected to President Trump.

While Ambassador Sondland's phone was not on speaker phone, I could hear the President's voice through the ear piece of the phone. The President's voice was very loud and recognizable, and Ambassador Sondland held the phone away from his ear for a period of time, presumably because of the loud volume.

I heard Ambassador Sondland greet the President and explain that he was calling from Kyiv. I heard President Trump then clarify that Ambassador Sondland was in Ukraine. Ambassador Sondland replied, yes, he was in Ukraine, and went on to state that President Zelensky, quote, unquote, loves your ass.

I then heard President Trump ask, quote, "So he's going to do the investigation?" unquote. Ambassador Sondland replied that, "He's going to do it," adding that President Zelensky will, quote, "Do anything you ask him to."

Even though I did not take notes of these statements, I had a clear recollection that these statements were made. I believe that my colleagues who were sitting at the table also knew that Ambassador Sondland was speaking with the President.

The conversation then shifted to Ambassador Sondland's efforts, on behalf of the President, to assist a rapper who was jailed in Sweden, and I could only hear Ambassador Sondland's side of that part of the

conversation. Ambassador Sondland told the President that the rapper was, quote, unquote, kind of eff'd there -- I think I said the magic word -- he was kind of eff'd there -- he used the actual word -- and, quote, he should have pled guilty. He recommended that the President, quote, wait until after the sentencing or it would only make it worse, unquote, adding, the President should, quote, let him get sentenced, play the racism card, and give him a ticker-tape when he comes home, unquote.

Ambassador Sondland further told the President that Sweden, quote, should have released him on your word, unquote, but that, quote, you can tell the Kardashians you tried.

After the end of the call, Ambassador Sondland remarked that the President was in a bad mood. As Ambassador Sondland stated, it was often the case early in the morning.

I then took the opportunity to ask Ambassador Sondland for his candid impression of the President's views on Ukraine. In particular, I asked Ambassador Sondland if it was true that the President did not give a shit about Ukraine. Ambassador Sondland agreed that the President did not give a shit about Ukraine.

I asked why not, and Ambassador Sondland stated, the President only cares about, quote, unquote, "big stuff." I noted that there was, quote, unquote, big stuff going on in Ukraine, like a war with Russia. And Ambassador Sondland replied that he meant, quote, unquote, "big stuff" that benefits the President, like the, quote, unquote, "Biden investigation" that Mr. Giuliani was pushing. The conversation then

moved on to other topics.

Upon returning to the Embassy, I immediately told the Deputy Chief of Mission and others in the Embassy about the call with the President and my conversation with Ambassador Sondland. I also emailed an Embassy official in Sweden regarding the issue with the U.S. rapper that was discussed on the call.

July 26th, that same day, was my last day in the office ahead of a planned vacation that ended on July 6th -- sorry, August 6th. After returning to the Embassy, I told Ambassador Taylor about the July 26th call. I also repeatedly referred to the call and conversation with Ambassador Sondland in meetings and conversations where the issue of the President's interest in Ukraine was potentially relevant.

At that time, Ambassador Sondland's statement of the President's lack of interest in Ukraine was of particular focus. We understood that in order to secure a meeting between President Trump and President Zelensky we would have to work hard to find a way to explain Ukraine's importance to President Trump in terms that he found compelling.

Over the ensuing weeks, we continued to try to identify ways to frame the importance of Ukraine in ways that would appeal to the President and to try to move forward on the scheduling of a White House visit by President Zelensky. On July 28th, while President Trump was still not moving forward -- sorry -- was still not moving forward with a meeting with President Zelensky, he met with Russian President Putin at the G20 Summit in Osaka, Japan, sending a further signal of lack of support to Ukraine.

Ukrainian Independence Day is August 24th, also presented a good opportunity to show support for Ukraine. Secretary Pompeo had considered attending, National Security Advisor Bolton attended the prior year in 2018, and Secretary -- Defense Secretary -- then-Secretary Mattis attended in 2017. But in the end, nobody senior to Ambassador Volker attended.

Shortly thereafter, on August 27th, Ambassador Bolton visited Ukraine and brought welcome news that President Trump had agreed to meet President Zelensky on September 1st in Warsaw. I took notes in Ambassador Bolton's meeting with President Zelensky's Chief of Staff, Mr. Bohdan. Ambassador Bolton told Mr. Bohdan that the meeting between the Presidents in Warsaw would be, quote, "crucial to cementing their relationship."

Between meetings that day, I heard Ambassador Bolton express to Ambassador Taylor and National Security Council Senior Director Tim Morrison his frustration about Mr. Giuliani's influence with the President, making clear that there was nothing he could do about it. He recommended that new Prosecutor General Ruslan Ryaboshapka, who would replace Mr. Lutsenko, open a channel with Attorney General Barr in place of Mr. Yermak's channel with Mr. Giuliani.

He also expressed frustration about Ambassador Sondland's expansive interpretation of his mandate, musing that he should ask his staff to confirm that the mandate of the U.S. Ambassador to the European Union was limited to the European Union and had no authority with the individual member states, let alone nonmembers like Ukraine.

Ambassador Bolton further indicated the hold on security assistance would not be lifted prior to the Warsaw meeting, where it would hang on whether President Zelensky was able to, quote, unquote, "favorably impress President Trump."

President Trump ultimately pulled out of the Warsaw trip, so the hold remained in place with no clear means to get it lifted.

After the trip was cancelled, Ambassador Taylor also told me that Ambassador Bolton recommended that Ambassador Taylor send a first-person cable to Secretary Pompeo articulating the importance of the security assistance. At Ambassador Taylor's direction, I drafted and transmitted the cable August 29th, which further attempted to explain Ukraine's importance and the importance of the security assistance to U.S. national security.

During this time, we were still trying to appeal to President Trump in foreign policy and national security terms. By this point, however, my clear impression was that the security assistance hold was likely intended by the President either to express dissatisfaction that the Ukrainians had not yet agreed to the Burisma-Biden investigations or as an effort to increase the pressure on them to do so.

I've since read in Ambassador Taylor's testimony an account of a meeting in Warsaw in which Ambassador Sondland told Mr. Yermak, this was according to Mr. Morrison, that the security assistance freeze would not be lifted until President Zelensky committed to the Burisma-Biden investigation. I have also read Ambassador Taylor's testimony about the text exchange and phone call between Ambassador

Taylor and Ambassador Sondland in which Ambassador Sondland admitted that, quote, "everything was dependent on an announcement," and that President Trump wanted President Zelensky, quote, "in a public box."

On September 5th, I took notes at Senator Johnson and Senator Chris Murphy's meeting with President Zelensky in Kyiv. President Zelensky asked about the security assistance. Although both Senators stressed bipartisan congressional support for Ukraine, Senator Johnson cautioned President Zelensky that President Trump has a negative view of Ukraine and that President Zelensky would have a difficult time overcoming it. Senator Johnson further explained that he was, quote, "shocked" by President Trump's negative reaction during an Oval Office meeting on May 23rd when he and the Three Amigos proposed that President Trump meet President Zelensky and show support for Ukraine.

I was not aware until I read Ambassador Taylor's testimony on the various exchanges on September 7th and 8th about President Trump apparently insisting that President Zelensky personally go to a microphone and say he was opening investigations of the Bidens and 2016 election interference or of Mr. Yermak's message to Ambassador Sondland that President Zelensky was prepared to make a statement on CNN. However, Ambassador Taylor did tell me on September 8th, quote, now they're insisting Zelensky commit to the investigation in an interview with CNN, unquote.

I was surprised the requirement was so specific and concrete. While we had advised our Ukrainian counterparts to voice a commitment to following the rule of law and generally to investigate credible

corruption allegations, this was a demand that President Zelensky personally commit to a specific investigation of President Trump's political rival on a cable news channel.

On September 11th, the hold on security assistance was lifted, though it remained unclear to us why it was imposed in the first place. Although we knew the hold was lifted, we were still concerned that President Zelensky may have committed to give the interview at the annual YES! Conference in Kyiv on September 12th to 14th where CNN's Fareed Zakaria was one of the moderators.

On September 13th, an Embassy colleague received a phone call from a colleague at the U.S. Embassy to the European Union under Ambassador Sondland and texted me regarding the call, quote, Sondland said the Zelensky interview is supposed to be on Monday -- that would be September 16th -- sorry, today or Monday, September 16th, and they plan to announce that a certain investigation that was, quote, "on hold" will progress. The text also explained that our European Union Embassy colleague did not know if this was decided or if Ambassador Sondland was advocating for it.

Also on September 13th, following a meeting with President Zelensky in his private office in which I took notes, Ambassador Taylor and I ran into Mr. Yermak on the way out. When Ambassador Taylor again stressed the importance of staying out of U.S. politics and said he hoped no interview was planned, Mr. Yermak shrugged in resignation and did not answer, as if to indicate he had no choice.

In short, everyone thought there was going to be an interview and

that the Ukrainians believed they had to do it. The interview ultimately did not occur.

On September 21st, Ambassador Taylor and I collaborated on input he sent to Mr. Morrison to brief President Trump ahead of a September 25th meeting that had been scheduled with President Zelensky in New York on the margins of the U.N. General Assembly. The transcript of July 25th call was released the same day. As of today, I still have not seen a read-out of the September 25th meeting.

As the current impeachment inquiry has progressed, I have followed press reports and reviewed the statements of Ambassador Taylor and Ambassador Yovanovitch. Based on my experience in Ukraine, my recollection is generally consistent with their testimony, and I believe that the relevant facts were, therefore, being laid out for the American people.

However, in the last week or so, I read press reports expressing for the first time that certain senior officials may have been acting without the President's knowledge in their dealings with Ukraine. At the same time, I also read reports noting the lack of firsthand evidence in the investigation and suggesting that the only evidence being elicited at the hearings was hearsay.

I came to realize I had firsthand knowledge regarding certain events on June 26th that had not otherwise been reported, and that those events potentially bore on the question of whether the President did in fact have knowledge that those officials were using the levers of our diplomatic power to induce the new Ukrainian President to announce

the opening of a particular criminal investigation. It is at that point that I made the observation to Ambassador Taylor that the incident I had witnessed had acquired greater significance, which is what he reported in his testimony earlier this week.

I would like to take a moment to turn back to Ukraine. Next week marks the sixth -- marks 6 years since throngs of pro-Western Ukrainians spontaneously gathered on Kyiv's Independence Square to launch what became known as the Revolution of Dignity. While the protests began in opposition to a turn towards Russia and away from the West, they expanded over 3 months to reject the entire corrupt, repressive system that the President oversaw, and ultimately led to his flight from Ukraine to Russia.

Those events were followed by Russia's occupation of Ukraine's Crimean Peninsula and the invasion of Ukraine's eastern Donbas region, masterminding an ensuing war that to date has cost almost 14,000 lives.

Over the past 5 years, they have rebuilt a shattered economy, adhered to a peace process, and moved economically and socially closer to the West, toward our way of life.

Earlier this year, large majorities of Ukrainians again chose a fresh start by voting for a political newcomer as President, replacing 80 percent of their parliament, and endorsing a platform consistent with our democratic values, reform priorities, and strategic interests.

This year's revolution at the ballot box underscores that, despite its imperfections, Ukraine is a genuine and vibrant democracy

and an example to other post-Soviet countries and beyond, from Moscow to Hong Kong.

How we respond to this historic opportunity will set the trajectory of our relationship with Ukraine and our position on core principles central to our vital national interests for years to come. Ukrainians want to hear a clear and unambiguous reaffirmation of our longstanding bipartisan policy of strong support for Ukraine, that it remains unchanged, and that we fully back it at the highest levels.

Vice President Pence said after his meeting with President Zelensky in Warsaw, quote, "the U.S.-Ukraine relationship has never been stronger." Ukrainians and their new government earnestly want to believe that.

Ukrainians cherish their bipartisan American support that has sustained their Euro-Atlantic aspirations, and they recoil at the thought of playing a role in U.S. domestic politics or elections.

At a time of shifting allegiances and rising competitors in the world, we have no better friend than Ukraine, a scrappy, unbowed, determined, and above all dignified people who are standing up against Russian authoritarianism and aggression.

We are now at an inflection point in Ukraine, and it is critical to our national security that we stand in strong support of our Ukrainian partners.

Ukrainians and freedom-loving people everywhere are watching the example we set of democracy and rule of law.

Thank you. I'm happy to answer questions.

THE CHAIRMAN: Yes.

MR. MEADOWS: Having read this and understanding the witness' desire for a U.S.-Ukraine relationship, I would submit that some of the things in here could indeed be classified. And I would just, as a point of information, just caution the chairman to maybe look at that and admonish all of us to hold this until you have a chance to do that so that we don't harm diplomatic relations.

I don't think it'll impede your investigation. I think we can look at that in a way. But I just, as a point of information, would offer the caution.

THE CHAIRMAN: Mr. Meadows, I don't agree. There's nothing in this that I see that is even remotely classified.

And I take it, Mr. Holmes, you prepared this statement mindful of the necessity of providing this in unclassified form.

MR. HOLMES: Yes, sir.

THE CHAIRMAN: We'll now begin 45 minutes of questions from the majority and -- oh, 1 hour, I'm sorry 1 hour -- and as you may know, we'll alternate between both parties.

Let me just go through a few of -- there's so much in your statement, I appreciate its comprehensive nature. I'm going to go through a few things before I allow counsel to do it much more methodically than I will.

I was intrigued at the beginning of your statement, because I didn't see this, where you testified, Secretary Pompeo stated last week, quote, I hope everyone who testifies will do so truthfully,

accurately, when they do the oversight role will have been performed, and I think America will come to see what took place here.

Are you aware, Mr. Holmes, that Secretary Pompeo has refused to turn over a single document from the State Department?

MR. HOLMES: Yes, sir, I am aware of that.

THE CHAIRMAN: I take it in his statement last week he didn't make any mention of how we could do our oversight role if he continued to withhold all the documents?

MR. HOLMES: This was from an interview I saw in the press, sir, so I don't know what the scope of his comments were.

THE CHAIRMAN: Did you -- I think you mentioned that you had taken notes of some of the meetings and conversations you sat in. Is that correct?

MR. HOLMES: That's correct.

THE CHAIRMAN: Did you provide those notes to the State Department?

MR. HOLMES: I did.

THE CHAIRMAN: You also testified that -- and this was a subject of testimony earlier today with Ambassador Yovanovitch -- that her efforts brought her into conflict with Prosecutor General Lutsenko. Is that right?

MR. HOLMES: That's correct, sir.

THE CHAIRMAN: Lutsenko had resisted fully empowering truly independent anti-corruption institutions that would ensure no Ukrainians, however powerful, were above the law. Was that your

testimony?

MR. HOLMES: That's correct, sir.

THE CHAIRMAN: I think you said, thereafter, however, the Ambassador and the Embassy kept pushing anti-corruption and other pillars of our policy toward Ukraine. Did that make Ambassador Yovanovitch an adversary, at least as far as Lutsenko was concerned?

MR. HOLMES: Yes.

THE CHAIRMAN: Subsequent to that, there began a series of efforts by Lutsenko to discredit the Ambassador?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: He made a series of unsupported false allegations against the Ambassador?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: And including the false allegation that Ambassador Yovanovitch was using the Embassy to advance democratic political interests?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: That was false?

MR. HOLMES: That's false.

THE CHAIRMAN: Mr. Lutsenko, you also said, also claimed that the Embassy had pressured former Prosecutor General Shokin to engineer the closing of the case against former Minister of Ecology Zlochevsky because of the connection between his company Burisma and former Vice President Biden's son. Was that one of the other false allegations that Lutsenko made?

MR. HOLMES: So those events happened before my arrival in Ukraine, but Lutsenko did allege that, and my counterparts at the Embassy at the time believed those to be false.

THE CHAIRMAN: You went on to say that: We learned that Vice President Pence no longer planned to lead the Presidential delegation to the inauguration.

Was it initially your understanding that the Vice President, therefore, was going to go to the inauguration?

MR. HOLMES: We had gone back and forth with NSC staff about proposing a list of potential members of the delegation. It was initially quite a long list. We had asked who would be the senior member of that delegation. We were told that Vice President Pence was likely to be that senior member, it was not yet fully agreed to. And so we were anticipating that to be the case. And then the Giuliani event happened, and then we heard that he was not going to play that role.

THE CHAIRMAN: So what is the Giuliani event you're talking about?

MR. HOLMES: That was --

THE CHAIRMAN: Was that the interview where he --

MR. HOLMES: That's right. Yeah, so he had -- so I believe it was in The New York Times, there was -- he gave an interview basically saying that he had planned to travel to Ukraine, but he canceled his trip because there were, quote, unquote, enemies of the U.S. President in Zelensky's orbit.

THE CHAIRMAN: So Rudy Giuliani plans this trip to Ukraine, and I think you said publicly in that article that he was there to meddle in investigations, not meddle in elections, but to meddle in investigations, and that was his right, something along those lines?

MR. HOLMES: I actually don't recall the details of that article, I haven't referred back to it since I read it the first time. But he gave a number of interviews over time where I believe that was the upshot of what he was saying his intent was.

THE CHAIRMAN: And he was frustrated when this came to the public's attention and there was pushback. And I think he blamed people -- blamed Democrats or people in Ukraine for him having to scuttle the trip. Is that right?

MR. HOLMES: Yes. We had theories about who he was referring to when he said enemies, and these were people, you know, who had supported Zelensky's campaign.

THE CHAIRMAN: So prior to this Giuliani event, the Vice President had at least been planning to attend the inauguration?

MR. HOLMES: That's my understanding from colleagues at the NSC who were making the preparations for that delegation.

THE CHAIRMAN: Were you aware that the President ultimately told the Vice President not to go to the inauguration?

MR. HOLMES: I'm not aware of that.

THE CHAIRMAN: But he had been planning to go -- you are aware that he had been planning to go up until the Giuliani incident?

MR. HOLMES: I want to be very clear, sir. Our understanding was

that there was -- the discussion was -- let me be very precise. We were asking the NSC staff who was likely to lead the delegation. They told us he was likely to lead the delegation, but a final decision had not yet been made. That's what we were aware of.

THE CHAIRMAN: We've had other testimony about looking into hotels for the Vice President. None of that is inconsistent with what you observed?

MR. HOLMES: I don't know if we'd gotten to the point of booking hotels, I'm not sure of that, sir.

THE CHAIRMAN: You then went on to say that Secretary Perry, Ambassador Sondland, and Ambassador Volker, the Three Amigos, made it clear they would take the lead on coordinating policy and engagement with the Zelensky administration. About when was that?

MR. HOLMES: So the first time that I encountered them as a group was when they came for the Presidential inaugural delegation with -- led by Secretary Perry. And they were in preparatory meetings at the hotel the morning of, they were discussing this, about how can we coordinate the policy, how can we work together, how can we divvy up responsibilities, how can we, you know -- how can we come up with an agenda for the new Zelensky administration. And each of them had contributions to that.

THE CHAIRMAN: But you mentioned in your testimony that they were going to take the lead on coordinating policy and engagement with the Zelensky administration. Is that right?

MR. HOLMES: That's correct.

THE CHAIRMAN: And that would have been immediately or almost immediately after the inauguration?

MR. HOLMES: That was the day of the inauguration, on May 20th, the same day that Ambassador Yovanovitch departed post.

THE CHAIRMAN: So the same day that Yovanovitch is literally recalled, there's a new team put in place to be the liaison with the Zelensky administration, and that's the Three Amigos?

MR. HOLMES: The decision to recall her happened prior to the 20th, but that was the day she got on a plane.

THE CHAIRMAN: You know, you mention in your written testimony that a -- that it's important that we understand that a White House visit was critical to President Zelensky. He needed it to demonstrate U.S. support at the highest levels, both to advance his ambitious anti-corruption agenda at home and to encourage Russian President Putin to take seriously President Zelensky's peace efforts. Can you expand on that?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: I think the public has an understanding of why military aid is important. They may have a lesser understanding of why diplomatic support is important.

MR. HOLMES: Sure.

THE CHAIRMAN: Why was this White House meeting so important to Zelensky?

MR. HOLMES: Sure. First of all, I'll state the fact that the Zelensky team were adamant that it was important. So we heard that

from them in every interaction that it absolutely was critical for them for Zelensky to get the imprimatur of the U.S. President to indicate that the United States would continue to support Ukraine and his administration, at least as it had done with the prior administration, for the past 5 years. So they were clear that was important to them.

Why, in general, is a meeting with the U.S. President important for the President of Ukraine to advance both the domestic agenda and the peace process? There's two separate answers.

So on the domestic agenda, the United States has tremendous credibility in Ukraine. They regard us as their critical partner. The former Foreign Minister, you know, said we were brothers in arms. I mean, there is a very strong feeling of cooperation and the importance the United States plays with respect to Ukraine and its aspirations.

So to have the, like I said, the imprimatur of the U.S. President, the most powerful man in the world, and the head of the government that is backing them in what they are doing, that's very, very important to them.

So that's critical to them domestically, to signal to the Ukrainian people that President Zelensky was able to get the support of the United States at a time when the Ukrainian people were wondering, and including some of Zelensky's opponents, were wondering if he'd be able to command the same level of support that his predecessor had.

And that was critical for him to address the anti-corruption agenda at home, which was going to require passing a lot of very

difficult laws and very, very deep reforms that were politically controversial and difficult. And so he needed to signal the United States was supporting him in that reform effort, including anti-corruption reforms that have since gone beyond the prior administration in significant ways.

The other side of the ledger is Ukraine's foreign policy and its conflict with Russia. I served in Russia for 3 years before going to Ukraine. My experience then and since, and in talking with analysts on Russia, the consensus view is that President Putin doesn't take a lot of things seriously unless the President of the United States does. He wants to be seen on -- as a peer, on level with the United States in terms of global affairs.

It's certainly the case in Ukraine. A lot of the efforts the Ukrainians make, frankly, the Russians don't need to pay attention to unless other countries that they need to contend with think that those efforts are important.

So Zelensky came into office -- sorry for the long answer, I'll wrap up -- came into office promising to pursue a peace process and to kind of lean in on peace, and in order to do that he needed to show that he had the United States' backing, that even if he took risks on peace, that our security assistance and our political backing of his efforts was sound.

THE CHAIRMAN: So this wasn't just kind of the intangible understanding that it's important to world leaders generically to have a meeting with the U.S. President. The Ukrainians conveyed multiple

times just how important this was to them?

MR. HOLMES: That's correct. It was very important to them, and also in their particular circumstances with respect to Russia.

THE CHAIRMAN: And given the importance to Ukraine of this meeting, did that give leverage to the United States over the President of the Ukraine?

MR. HOLMES: They really wanted the meeting.

THE CHAIRMAN: I think you mentioned also in your testimony, and you just talked about how important it was for Ukraine to have this meeting vis-a-vis their domestic audience, but also vis-a-vis their adversary the Russians.

MR. HOLMES: That's right.

THE CHAIRMAN: That it was a set back to Ukraine that the President wouldn't meet with Zelensky, but he would meet with Putin. That meeting would come first. Is that right?

MR. HOLMES: That's correct.

THE CHAIRMAN: And did that make the press in Ukraine?

MR. HOLMES: Yes.

THE CHAIRMAN: You're smiling because that must be an understatement.

MR. HOLMES: Yes. In particular, the President canceled his prior meeting with Putin at the last minute when the Russians seized two Ukrainian naval vessels on November 25th of last year and detained their crews. That was seen as a very strong signal of support for that illegal Russian action.

When the President was going to meet Putin -- President Putin this next time, the Ukrainians asked us in strong terms, if the President is going to meet him, could he at least please raise the issue of our detained crew members who remained in Russian captivity at that time?

And to my -- I'm not sure if he did or not, but it was a very important issue in Ukraine at the time that these crew members were still detained by Russia, in Russian jails, and the President had canceled his last meeting over that issue, but he was choosing to meet him without resolving that issue.

THE CHAIRMAN: And you never found out whether he did, he did, in fact, raise that with Putin?

MR. HOLMES: I don't know. I don't know.

THE CHAIRMAN: You mentioned that in the week leading up to, I guess this would have been the event in Brussels, Ambassador Sondland, Secretary Perry, and Secretary Perry's staff were taking a very active and unconventional role in formulating our priorities for the new Zelensky administration and personally reaching out to President Zelensky and his senior team. What did you mean by that being unconventional?

MR. HOLMES: Yeah. Secretary Perry's staff was very aggressive in terms of promoting an agenda and excluding Embassy personnel from meetings without giving explanations.

We'd ask what, you know, they plan to say in the meetings, for instance, these preparatory sessions.

They would say, we want to say this.

And we'd say, why would you say that? We don't understand your rationale. Can you explain to us? We can discuss this.

And it was clear they knew what they wanted to do and were not -- they were not giving us explanations for it.

I'm not an expert in the energy issues, but it was an unusual interaction between the Embassy and staff.

THE CHAIRMAN: Did any of those interactions involve a Texas oil company?

MR. HOLMES: There was the -- sort of what I testified to, that Secretary Perry handed a list of trusted individuals to President Zelensky from whom he could take advice on energy sector reform. I didn't see the list. I heard there were some individuals who were involved with energy issues in Texas. But I also wasn't in the meetings with his staff on energy issues, it was just not my area of expertise.

I should also add, sir, you asked about the staff and the members. From that point on, you know, they were getting business cards and WhatsApping and sending messages and things like that directly to the principals. Oftentimes those things would involve the Embassy in some way so we had visibility on what policies we were advancing with those same principals who we would see on a regular basis, and we weren't getting that.

THE CHAIRMAN: So these individuals, at least two of the Three Amigos, were communicating with WhatsApp and text messages in a way that left the traditional Embassy staff out of the loop?

MR. HOLMES: We were in the loop on some things, but we suspected

we were out of the loop on other things.

[5:12 p.m.]

THE CHAIRMAN: You mentioned on June 27 Ambassador Sondland told Ambassador Taylor in a phone conversation, the gist of which Ambassador Taylor shared with me at the time, that President Zelensky needed to make clear to President Trump that President Zelensky was not standing in the way of investigations. I understood that this was referring to the Burisma/Biden investigations that Mr. Giuliani and his associates had been speaking about in the media since March.

Why was that your understanding?

MR. HOLMES: So this was a very unusual period from March. As I said -- testified, I'd never seen anything like it in my career. It was a constant drumbeat of media, press articles, tweets, news show appearances by people who I wasn't familiar with previously, but some of whom at least I've come to realize were associates of Mr. Giuliani, who were, in various ways, advancing three or four different narratives in all these different engagements, all of which started at the beginning of March and continued through Ambassador Yovanovitch's removal.

And one of those narratives was the Burisma/Biden investigation. And so, that was the only specific investigation that we were discussing. We typically, in the Embassy, don't talk about specific investigations on particular cases; we talk about building rule of law and anticorruption institutions, justice institutions that follow the facts and the allegations as they judge fit.

THE CHAIRMAN: You mentioned as a result of a conversation you

had with Ambassador Taylor on June 28th, it was made clear that some action on a Burisma/Biden investigation was a precondition for an Oval Office meeting. We became concerned that even if a meeting could occur, it could -- it would not go well, and I discussed with Embassy colleagues whether we should stop seeking a meeting altogether.

That's pretty extraordinary, given what you knew about the importance to President Zelensky about having that White House meeting. Why did you even entertain the idea that maybe you should prevent this meeting from happening?

MR. HOLMES: The importance of the meeting was largely signaling to Zelensky's domestic audience and to his foreign adversaries. A bad meeting would be worse than no meeting. And we did not yet have confidence that -- that there was an interest in having a positive interaction with Zelensky that would send that signal.

THE CHAIRMAN: Were you concerned that you might get a bad meeting in which the President pressed Zelensky to do the Biden investigation?

MR. HOLMES: Possibly.

THE CHAIRMAN: And when you saw the call record when it was released on September 25th, did that confirm your worst fear about what might have a happened in a personal meeting?

MR. HOLMES: I was disappointed to see that raised.

THE CHAIRMAN: You mentioned in your written testimony about a meeting with Andriy Bohdan, the chief of staff of President Zelensky. The meeting was brief, you said, but he did say that President Trump had expressed interest during the previous day's phone call in

President Zelensky's personnel decisions relating to the prosecutor general's office. What did you understand that to mean?

MR. HOLMES: I didn't understand it when he raised it. He was literally standing up. He said the President has called me, I have to go. He expressed some interest in these personnel decisions. I have this in my notes.

And then he said, I have three questions for you. And he started asking us about individuals I've since come to understand they were considering appointing to different roles in the PGO. It wasn't until I read the July 25th phone call transcript that I realized that the President had mentioned Mr. Lutsenko in that call.

THE CHAIRMAN: And at that time of that call, Lutsenko was still the prosecutor general?

MR. HOLMES: Yes. So in the Ukrainian system, the Parliament has to agree -- has to approve the resignation or the firing of a prosecutor general. Zelensky was elected, but there were several months that went by until the parliamentary elections where he then acquired the mandate and then the parliament would begin to meet where then he would be in a position to actually make personnel changes.

So there was a period of 2 or 3 months where a lot of Ukrainians were hoping Lutsenko would just go, but he held on until Zelensky won this -- his overall parliamentary majority, and was then in a position to make new appointments.

And then prior to that, you know, Zelensky had told us privately he was consider -- who he was considering replacing Lutsenko with and

then did do. So there were conversations about this, but he wasn't in a position to actually remove him from office until later.

THE CHAIRMAN: Was Lutsenko, during this period, still trying to angle to keep his job?

MR. HOLMES: I believe so, yes.

THE CHAIRMAN: And was part of his angling to survive the potential change before the election, and the change once the election took place, was part of the strategy appealing to Rudy Giuliani and Donald Trump by pushing out these false theories about the Bidens and the 2016 election?

MR. HOLMES: I believe that's the case.

THE CHAIRMAN: The delegation you said then met with President Zelensky and several other senior officials. Which delegation are you referring to there?

MR. HOLMES: I'm sorry, where are you, sir? Which --

THE CHAIRMAN: Page 5 of your written testimony.

MR. HOLMES: Yes. You know, I don't recall who else -- I was personally in the meeting with President Zelensky, but they had arranged other meetings.

THE CHAIRMAN: And who was there on the American side?

MR. HOLMES: So this is -- this is -- it was the inaugural delegation. So Secretary Perry, the people I mentioned before.

THE CHAIRMAN: I see.

MR. HOLMES: The five.

THE CHAIRMAN: Okay. During the meeting, you said President

Zelensky stated that during the July 25th call, President Trump had three times raised some very sensitive issues and that he would have to follow up on those issues when they met in person.

Now having read the call record, do you understand what he meant by the very sensitive issues he had raised three times?

MR. HOLMES: There were only a couple issues that the President raised in that call, and so, I assume those are the issues he meant.

THE CHAIRMAN: And those involve the investigations that the President wanted Zelensky to do?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: So Zelensky here is saying he'll have to follow up with those issues when he gets his White House meeting, is that the import?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: So Zelensky is communicating that he wants this meeting, and if the President wants to talk further about this, he needs to give him the meeting. Is that right?

MR. HOLMES: I think that's a reasonable interpretation.

THE CHAIRMAN: On page 6, you mentioned how you were excluded from the meeting between Ambassador Sondland and Mr. Yermak, and that you waited outside with a member of Ambassador Sondland's staff. Was there a member of Ambassador Sondland's staff that accompanied him on most of the Ukraine trips?

MR. HOLMES: There was a member of his staff on this trip. I don't know if his standard practice -- I don't recall if he had a staff

member accompany him on his other trips. I don't recall.

THE CHAIRMAN: Do you recall who that staff member was?

MR. HOLMES: Yes. It's a State Department officer in the U.S. mission to the EU. Her name is [redacted].

THE CHAIRMAN: Let me move ahead to the call that you overheard at the restaurant. You said Ambassador Sondland placed this call on his mobile phone?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: Did that cause you any concern about the security of that phone call?

MR. HOLMES: It was surprising to me that he -- yes. In my experience, generally, phone calls with the President are very sensitive and handled accordingly.

THE CHAIRMAN: And making a cell phone call from Ukraine, is there a risk of Russians listening in?

MR. HOLMES: I believe at least two of the three, if not all three of the mobile networks are owned by Russian companies, or have significant stakes in those. We generally assume that mobile communications in Ukraine are being monitored.

THE CHAIRMAN: And, in fact, Ambassador Nuland's communications at one point had been monitored and released for political effect?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: So there was not only the concern with the ownership of the telecommunication companies, but past practice?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: Now, you said the President's voice was loud and recognizable, and Ambassador Sondland held the phone away from his head. Is that right?

MR. HOLMES: Yes, sir. He sort of was waiting for him to come on, and then when he came on, he sort of winced and went like that for the first couple exchanges. And then --

THE CHAIRMAN: Now, the reporter can't record that.

MR. HOLMES: I'm sorry. He sort of winced --

THE CHAIRMAN: He moved his head away from the phone?

MR. HOLMES: -- winced and then moved the phone away from his ear, because the volume was loud, and then -- for the first portion of the call, and then he stopped doing that. I don't know if he turned the volume down or got used to it or if the person, the President, I believe, on the other line moderated his volume. I don't know what happened, but for the first part, he was pulling it away from his head.

THE CHAIRMAN: And you heard Ambassador Sondland greet the President and say he was calling from Kyiv, and then you could hear President Trump wanting to clarify that Ambassador Sondland was, in fact, in Ukraine?

MR. HOLMES: Yeah. Yes. You mean, Ukraine? Yes, Ukraine.

THE CHAIRMAN: And then you said President Zelensky or Ambassador Sondland went on to say that "President Zelensky loves your ass," meaning that he loves the President?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: And then you could hear President Trump say, so

he's going to do the investigation?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: And Sondland replied, He's going to do it?

MR. HOLMES: Yes. He said, Oh yeah, he's going to do it.

THE CHAIRMAN: And then he went on to say, President Zelensky will do anything you ask him to?

MR. HOLMES: Yes.

THE CHAIRMAN: And those are the words you heard, to the best of your recollection?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: And, you know, I think you said you have quite a clear recollection of that. It left an impression on you, did it?

MR. HOLMES: This was an extremely distinctive experience in my Foreign Service career. I've never seen anything like this, someone calling the President from a mobile phone at a restaurant, and then having a conversation of this level of candor, colorful language. There's just so much about the call that was so remarkable that I remember it vividly.

THE CHAIRMAN: I won't go through the conversation about the rapper, but let me ask you about after the call ended. Anything else you can recall about the Ukraine portion of the conversation?

MR. HOLMES: It was very brief. It was exactly as I have described it, three sentences or whatever. It was -- and then it was immediately, what about Sweden and then the rapper portion.

THE CHAIRMAN: So the call ends. You're still at the restaurant.

You take the opportunity to ask Ambassador Sondland for his candid impression of the President's views on Ukraine and, in particular, you ask him, is it true the President doesn't give a shit about Ukraine?

MR. HOLMES: Yes, sir.

THE CHAIRMAN: Now, what led you to believe that the President didn't give a shit about Ukraine? That's an interesting way to start a question asking for feedback.

MR. HOLMES: Yeah. I'm not proud of my language. But the informal tone of the lunch and the language I had heard him using in his call with the President, we were just sort of, you know, two guys over lunch talking about stuff, and it seemed to me that was the kind of language that he used.

And so I was -- I, at that point, believed that it had been very difficult for us to get the President interested in what we were trying to do in Ukraine. Those are the words I chose.

THE CHAIRMAN: And Sondland agreed with you that the President did not give a shit about Ukraine. So his answer was to you, the President doesn't give a shit about Ukraine?

MR. HOLMES: My recollection, he said, Nope, not at all, doesn't give a shit about Ukraine.

THE CHAIRMAN: And you asked him why not, and what did the President say?

MR. HOLMES: Sondland?

THE CHAIRMAN: I'm sorry. What did Ambassador Sondland say?

MR. HOLMES: Yeah. He said, he only cares about big things.

THE CHAIRMAN: Big things or big stuff?

MR. HOLMES: Big things. Big stuff. Big.

THE CHAIRMAN: And you noted that there was big stuff going on in Ukraine, like a war with Russia?

MR. HOLMES: Yes.

THE CHAIRMAN: And what did Ambassador Sondland say in reply?

MR. HOLMES: He said, no, big stuff that matters to him, like this Biden investigation that Giuliani is pushing.

THE CHAIRMAN: So Ambassador Sondland conveyed that the big stuff the President cared about was stuff that benefited the President, like the investigation into the Bidens?

MR. HOLMES: That was my understanding, yes.

THE CHAIRMAN: And then after that, the conversation moved in other directions?

MR. HOLMES: Yes.

THE CHAIRMAN: When you returned to the Embassy, you told the Deputy Chief of Mission about this conversation?

MR. HOLMES: Yes. So she's my direct supervisor.

THE CHAIRMAN: And who is your Deputy Chief of Mission?

MR. HOLMES: Kristina Kvien, K-v-i-e-n.

THE CHAIRMAN: And how much detail did you go into with the Deputy Chief of Mission?

MR. HOLMES: I believe I told her the whole thing. I said, You're not going to believe what I just heard, and then I just went through -- every element of this was extraordinary.

THE CHAIRMAN: What was her reaction?

MR. HOLMES: You know, on the one hand, she was shocked, as I was, that that just happened. It was pretty exceptional. She thought parts of it were funny. Parts of it, I think, she -- confirmed some of the things we thought were the case, as I said, because for months, we'd been hearing about things like the Biden investigation and having trouble trying to get traction on the meetings we were seeking. So it had a ring of truth to it. So that was the kind of reaction that I got.

THE CHAIRMAN: Let me now move further on the timeline. After Bolton recommends to Taylor that he send a cable to Pompeo, I think you testified that you helped in the drafting and transmission of the cable?

MR. HOLMES: Yes, sir. Every cable that an Embassy sends goes out in the name of the Chief of Mission, has Taylor at the bottom. Oftentimes, the Chief of Mission will give guidance on what to write, or will draft portions themselves and request that a staff person make the arguments. And then they would then clear the cable, signaling they're comfortable with it before we would then transmit it. And that's what we did in that case.

THE CHAIRMAN: And what was the gist of the cable that you sent?

MR. HOLMES: So I'm going to be very oblique, because that was a classified cable.

THE CHAIRMAN: Yes, and we want to keep this all unclassified.

MR. HOLMES: I understand, sir. It was articulating our view of

the importance of Ukraine to our national security, and the importance of the security assistance to Ukraine.

THE CHAIRMAN: You testified that during this time we were still trying to appeal to President Trump in foreign policy and national security terms. Was the cable along those lines?

MR. HOLMES: Yes, sir. I believe it said: In foreign policy terms, this is why it matters.

THE CHAIRMAN: But you also go on to say: By this point, however, my clear impression was that the security assistance hold was likely intended by the President either to express dissatisfaction that the Ukrainians had not yet agreed to the Burisma/Biden investigations, or as an effort to increase the pressure on them to do so. Why was that your impression, your clear impression?

MR. HOLMES: We had no other explanation for why there was disinterest in this meeting that the President had already offered. He didn't offer a date yet over the course of months, despite efforts of everyone to try to schedule that.

And then you had the additional hold of the security assistance with no explanation whatsoever, and we still don't have an explanation for why that happened or in the way that it happened, an unconventional way, as I understand it.

THE CHAIRMAN: Mr. Mulvaney gave an explanation.

MR. HOLMES: He did.

MR. MALONEY: Can I just mention, the witness is often giving nonverbal responses. If he could just articulate his response.

MR. HOLMES: I'm sorry.

THE CHAIRMAN: Mr. Mulvaney gave one explanation, didn't he?

MR. HOLMES: I saw his comments in the press, yes.

THE CHAIRMAN: You then talk about in your testimony further down on page 8 about a demand that President Zelensky personally commit to a specific investigation of President Trump's political rival on a cable news channel. Have you ever seen anything like that?

MR. HOLMES: No, sir.

THE CHAIRMAN: And even after the filing of the whistleblower complaint and it making its way to the White House and Congress launching an investigation and the aid finally being lifted, you were still concerned that Zelensky was going to feel compelled to go forward with the CNN interview?

MR. HOLMES: Yes. Some of these things were happening -- and, again, time difference in Ukraine. These things are happening on, as I recall it, the 11th, 12th, potentially 13th. That a lot of things were happening at the same time. It wasn't clear to us who was talking to whom when. It wasn't clear to us when the Ukrainians heard some of these things. So there was a bit of a margin of error on who knew what when.

And it also occurred to us potentially that the hold might have -- this is a theory -- might have been lifted -- or we worried that the hold was lifted after Zelensky potentially gave a commitment to do the interview. And I included some testimony, some evidence that might have pointed in that direction.

THE CHAIRMAN: So you were concerned that Zelensky had already made the commitment --

MR. HOLMES: Yes.

THE CHAIRMAN: -- in order to get the aid.

MR. HOLMES: Yes.

THE CHAIRMAN: Get the meeting.

MR. HOLMES: Yes.

THE CHAIRMAN: And then the story blew up with the whistleblower complaint, and the aid's released.

MR. HOLMES: Yes.

THE CHAIRMAN: And the question was, does Zelensky still have to follow through with what may have been committed?

MR. HOLMES: That is correct, sir.

THE CHAIRMAN: I'm going to yield now to Mr. Noble.

MR. NOBLE: Thank you, Mr. Chairman.

BY MR. NOBLE:

Q Mr. Holmes, I want to ask you a few follow-up questions, based on the line of questioning from the chairman, but first I want to make sure I understand.

A lot of your very detailed opening remarks are based -- include quotation marks.

A Uh-huh.

Q Again, those are quotes that you either took, based on your notes or your recollection as to what people actually said. Is that right?

A Yes.

Q And did you use your notes that you later turned over to the State Department to help prepare this opening statement?

A I did, yes.

Q You said in your opening statement that you read the transcripts of the deposition testimony of Ambassadors Taylor and Yovanovitch. Is that right?

A Yes, sir.

Q Did you also read Ambassador Sondland's testimony?

A So some things I read in the news. I can't say for sure that I sat down with the testimony itself or the statement. I read Ambassador Yovanovitch, Ambassador Taylor's deposition opening statements. I read those very carefully for a sense of, as I said, whether what I knew or my experience, that story was generally getting told. And then other witnesses, I just sort of read it in the news.

Q Well, to your point, in terms of getting your story told, was it your assumption that Ambassador Sondland would have told Congress about these conversations, including his July 26 phone call with President Trump at the restaurant?

A I would think so, especially if asked. I would suspect that he would mention that.

Q I mean, I wonder if that -- I mean, did you think that Ambassador Sondland would have relayed these communications with President Trump, given that they're obviously relevant to the inquiry? Is that why you thought, like, the information you had would have been

redundant to Ambassador Sondland's testimony?

A I won't speak to what Ambassador Sondland thought was important or not to share. I don't know. My process was, you know, as I've testified, I've been involved in this in some way all the way through. And I was -- some of the first testimony to come out were Ambassador Yovanovitch from that chapter, and then Ambassador Taylor from that chapter, and I read it to see if largely what I knew was getting out.

And every day I was waking up, I've never been through an impeachment before, but thinking is there something I have that people need? I had this question every day. And as I saw the testimony coming out, I was reasonably confident that what I knew was getting out, as I said, until later when it became apparent that this one issue -- maybe other things, too -- were particularly germane.

Q And what, again, was it about this particular phone call on July 26 that you thought was so important to tell Ambassador Taylor about, again?

A So at the time, it was confirming things that many people suspected. And so we took that and learned lessons from it, and I referred to it later in meetings. I said, as we know, he doesn't really care about Ukraine. It's going to be a tough road to convince him. And, you know, he does seem to care about this investigation and, you know, we don't get involved in politics, so there's nothing we can do about that.

So we talked about this repeatedly and -- but, you know, for me,

in the end, as I saw the story coming out and then started hearing that there was not a lot of firsthand information, plus the notion that these three officials that were close officials to the President may have been acting without his knowledge or freelancing. I think I've heard various descriptions.

It seemed to me then, in retrospect, that this event was firsthand and one of those people with direct contact to the President, where they explicitly mentioned one of the things that was at issue. So it just -- whereas I took it as an indication we were kind of right what we're thinking was going on; in retrospect, it seemed like it was more critical.

Q Sticking with the July 26 call between Sondland and President Trump, I just want to ask you a few more questions about your recollection of that call.

And backing up, right before the call, Ambassador Sondland met with Andrey Yermak. Did he ever tell you what they discussed during that meeting?

A He didn't.

Q But you were told by an aide to Mr. Yermak that Ambassador Sondland said he didn't want notes taken of that meeting and he wanted it to be a one-on-one?

A He wanted it to be a one-on-one. And when I said, I'm the note taker and Embassy representative, they said they don't want anyone else in the meeting.

Q And then the lunch that you then went to, do you recall about

what time of day you went to lunch?

A Yes. So the -- I believe 1 to 2 p.m., in that area. I believe the Zelensky meeting ended at noon and then we had the Yermak meeting, and then we drove to the restaurant, which wasn't too far away. So roughly 1 to 2 p.m.

Q And you said that two other staffers accompanied you to the lunch?

A Yes.

Q Can you please identify those people?

A Yeah. One is [redacted], the staffer to Ambassador Sondland at our mission to the European Union. And the other is [redacted], the last name is [redacted], who is in the economics section at the Embassy in Kyiv, who's the energy expert, and that day was the Embassy's control officer, as we call it, the person who works with a visitor and arranges their schedule and their meetings.

Q Okay.

A [redacted].

Q Thank you. Do you know which, or what type of cell phone Ambassador Sondland used?

A No, I don't.

Q Did you observe whether he had one or more cell phones on him at the time?

A I only saw him using one at a time.

Q So he had multiple cell phones?

A I don't -- he could have been using different ones one at

a time, but I only saw him using one at a time.

Q I see. And about how far away were you sitting from Ambassador Sondland during this conversation between him and President Trump?

A I was directly in front of him. The table was set up with two settings, kind of a runner between them. And so my plate was here, his plate was here. Maybe about the same as this table, maybe slightly wider about. It was close enough we were sort of sharing an appetizer together.

Q Could you describe for the reporter?

A I'm sorry, this is difficult.

THE CHAIRMAN: You're indicating --

MR. HOLMES: I don't want to estimate measurements of the table. We -- I was directly in front of him.

MR. NOBLE: He was a couple feet --

THE CHAIRMAN: He was on the other side of a table that is roughly what, 3 feet wide? 2 feet wide?

MR. HOLMES: It sounds about right. A normal dinner-size table for two.

THE CHAIRMAN: Table for two, okay.

MR. HOLMES: It felt to me like there were a table for two and another table for two pushed together. It may have been that it was a double-wide table.

BY MR. NOBLE:

Q And can you provide any more details about how Ambassador

Sondland went about connecting to President Trump? You said it sounded like he was being relayed through several switchboards, or can you just provide any more details about that?

A He was starting a call, and he kind of said, I'm going to call the President and give an update. And he was waiting and he was, kind of, expressing, kind of, impatience as he'd say, Gordon Sondland for the President, and then someone else would come on, and I'm waiting for the President. And as he got transferred, I don't know who he was getting transferred to, but he was -- I believe he said something like, Oh, it's always so hard to reach him, like that kind of thing.

Q Did he just place one call or did he have to place multiple calls in order to --

A One call.

Q One call, okay.

Do you know whether he used the State operations switchboard to connect to the President or which switchboard he was using?

A I don't know.

Q Do you recall about how long the call lasted, the duration?

A It was not long. That Ukraine portion was three or four sentences, pretty quick, and they very quickly turned to the Sweden bit. It's exactly as I relayed it.

At that point, I pulled out my phone. Everyone was checking their phones occasionally, checking emails. I was able to pull out my -- I realized that the call was significant. I pulled out my phone at that point and I opened a note and I took notes of the Sweden portion. I

was a little slow getting it out.

Q Okay. But did you take notes on the portion about Ukraine?

A I didn't. It was so quick and up front, and that's when I realized how significant it was. By the time I got it out, he moved on.

Q And did you turn that note relating to the Sweden portion over to the State Department?

A Yeah. So I -- when I -- after the lunch, I rode with Ambassador Sondland and the two staffers back to the Hyatt where he was staying. They stayed with him, and I peeled off and went back to the Embassy. When I arrived back to the Embassy, I opened that note, pasted it into an email, which I sent to our Deputy Chief of Mission in Stockholm so she had it. So that email with the notes that I took is in the records.

Q And about how long from Ambassador Sondland dialing to when he hung up with President Trump was the call?

A It was short, a couple minutes.

Q During the call, you said you overheard the word "investigation" or "investigations" --

A Yes.

Q -- mentioned by President Trump. Is that right?

A Yes.

Q At the time, did you understand what investigations the President was referring to?

A Yeah. It's the same answer you asked before. I mean, that

was the investigation that I was aware people were talking about. It had been in the media for some time. I was hearing, as I've testified at various stages, about this investigation being of importance to the President, and so that's what I assumed he meant.

Q In your statement, you said that you told the Deputy Chief of Mission about the call after it occurred. Did you tell anyone else about the call contemporaneously?

A Yeah. So I went back to the Embassy, and I had a lot of work to do. I had to write up the Bohdan meeting, the Zelensky meeting. I had a full afternoon of work to do. And so I went back to the Embassy and I went to the political section, and I ran into the Deputy Chief of Mission. And I said, Great, glad you're here, I have something I really need to brief up to you. And I walked her through the call.

And then I recall like, frankly, telling this story to almost anyone I encountered, because it was so remarkable. I don't exactly recall who those other individuals were. And part of the reason I remember it was the Deputy Chief of Mission is because she's my supervisor. And there were three people, three people that I would want to pass that on to. Those three people are my deputy in the political section, so that if I'm not around, she knows what's going on. And yeah, I was about to go on vacation.

Q Who is that?

A [redacted], my deputy; Kristina Kvien, my supervisor; and Ambassador Taylor. Two of those three people were on the front with

Ambassador Taylor. That was [redacted], who was staffing that trip, and Ambassador Taylor.

The only one of the three people who I would have felt an immediate obligation to ensure knew about this and would have trusted to do with that information what was required, or at least to share it within the Embassy, I told the one who was there, and then I turned to the other work that I had.

And I emailed the Sweden portion to the DCM there, because that portion was relevant to issues she was dealing with. And she was the former DCM in Ukraine as well, so was someone I could reach directly out to. Otherwise, I might not have done that. And then -- and then I turned to the other work I had to do.

Q Did you do a write-up of the call between Sondland and --

A No.

Q Why not?

A No. So we take notes on meetings between foreigners. If a delegation comes, right, we write up what was discussed. If we're meeting with the Ukrainian Government, we write up what was discussed. We report those things in front-channel cables. There's a process.

When we have meetings with -- among Americans, and even some of the members here have been to Ukraine on congressional delegations, we have the opportunity to meet and brief and discuss, I don't take notes of those things. I don't say what this Congressman thought about Ukraine or whatnot, because we don't report on U.S. officials and what they thought. We report on Ukrainian officials and what they thought.

So it didn't occur to me to put this in any of the normal reporting channels that I would do in my daily work. In fact, I was coming back to write up the meeting with the President of Ukraine which I had just been in, and so that's what I was doing.

Q Okay. Are you familiar with an interview that Ambassador Sondland did that same day on July 26 with Ukraine TV? Were you aware of that?

A Just -- this is what I remember of that. I remember he did do an interview, but I don't recall the details of it.

Q Well, would it surprise you that he actually references the lunch that he had with his staffers at the beginning of that interview?

A That would surprise me, yeah. Well, maybe it wouldn't. The lunch happened. Yeah. He did do an interview. I'm sorry.

Q Go ahead.

A Really, I'm just recalling this now. He -- I want to say maybe he told me, or someone else told me that he was talking about, like, Ukraine and how nice it was, and it's nice weather and things like that. And I thought it was -- it wasn't the usual topics we would mention in an interview.

Q Well, were you aware that he also said during that interview -- that's Ambassador Sondland -- that he had spoken with President Trump the day before on July 25th, just minutes before President Trump's phone call with President Zelensky?

A I guess it would surprise me he said it in an interview, but it doesn't surprise me, because I saw him do it. And I saw him do it on

the -- I saw that he was able to get directly to the President. So it doesn't surprise me that he may have done it on other occasions.

Q My next question is, did Ambassador Sondland ever tell you what he told President Trump on July 25th right before he spoke to President Zelensky?

A No, he didn't.

Q Are you aware of any other one-on-one conversations that Ambassador Sondland had with President Trump?

A With President Trump? No, I'm not aware.

Q But I think you said something in your opening statement that Ambassador Sondland spoke about how he had direct communication --

A Yeah.

Q -- line of communication with the President?

A Yeah. He -- he would -- he would say things in meetings like, I know the President would agree with what you just said, or I heard the President say something like -- I mean, he would portray himself as having knowledge, direct knowledge of the President's priorities and interests.

Q And he represented the same with respect to Chief of Staff Mulvaney?

A So less so in that kind of -- like that way, but a lot of this is me hearing from other people, so I don't have direct knowledge of that. But there were other stories about how he might have worked with Mulvaney to get certain things done, like that involved the President signing the congratulatory letter. There was -- I heard an

account of the fact that Sondland had engaged Mulvaney to try to get that letter signed and to make sure the letter included an offer of a visit.

Q Did Ambassador Sondland ever say anything else that he worked with Mick Mulvaney on relating to Ukraine?

A Not that I'm aware of.

Q Are you aware of a dinner that Ambassadors Sondland, Volker, and Taylor had with Oleksandr Danylyuk on that evening, July 26?

A I don't recall. I would be surprised, because they went to the front and they would have gotten back quite late. So I don't -- I don't recall it. And then I left the next morning, so if it happened I wouldn't have gotten a readout.

Q Or it might have been a dinner on July 25th, or you're just not aware?

A That's possible. There -- Danylyuk was one of the people that those individuals were all separately in touch with, and had meetings with on a regular basis when they visited.

Q Okay. During that lunch on July 26 with Ambassador Sondland, did he make any other phone calls aside from calling President Trump, that you can recall?

A He was using the phone to check emails and whatnot. I don't recall him making other phone calls.

Q Did he make any phone calls on the ride back to the Hyatt that you can recall?

A I don't recall anything specific, but I certainly don't

recall any policy-relevant phone calls.

Q Was there anything else that you can recall that was of significance during the visit of Ambassadors Sondland and Volker on July 25th and 26th?

A That's plenty. I testified to all the things that I thought were relevant, sir.

Q Okay. Do you recall whether Ambassador Sondland used the same phone call to call President Trump that he had been using to email on?

A I think so, but I just -- I only saw him using one phone. I had no reason to believe it's not the same phone. I just don't know.

Q There's a Twitter -- or a photo that was put out by Ambassador Sondland on Twitter of the July 20 -- oh, actually, no, I believe it was the May 20th meeting with President Zelensky during the inauguration. You're in the photo.

A Uh-huh.

Q There's a [redacted] sitting next to Secretary Perry. Was that the interpreter or was that a staffer?

A This was the actual delegation meeting?

Q I believe it was a delegation meeting with the Americans on one side and the Ukrainians on the other, and you're on the end looking like you're taking notes.

A I would have to double-check who [redacted], but I believe, yes, it would have been [redacted].

Q Do you recall if Secretary Perry had any staffers with him during that delegation, and, if so, who they were?

A Secretary Perry did. Brian McCormack, was his chief of staff, was there. And I'm blanking on the name. He had at least two other staffers. I don't recall their names.

Q Are you aware that Mr. McCormack has defied a subpoena to appear before the committee to testify in this impeachment inquiry?

A I did read that, yes.

Q Do you think he would have relevant information to share with the committee relating to the matters under investigation relating to Ukraine?

A Potentially, but you'd have to ask him.

Q Did Ambassador Sondland have any staffers with him during the May 20th visit to the delegation other than -- or was [redacted] there or did he have anyone else?

A I don't recall. I could check. I have this in my notes. I mean, I have the -- you know, the schedule of the visit and who participated. Motor pool, you know, motorcade diagrams. I just -- I was focused on the principals.

Q I have about 4 minutes. Let me see if I can do this particular phone call.

Earlier today, President Trump released a transcript of -- or what appears to be a transcript of the April 21st call between him and President Zelensky. Did you or anyone at the Embassy prepare talking points to help prepare President Trump for that call?

A Ordinarily, the process would have been that our counterparts at the National Security Council, in this case, Alex Vindman, I think Fiona Hill was still there at the time before Tim Morrison arrived, would have generally worked with either the Ukraine office at the State Department and/or the Embassy, and asked us for input for an engagement of that sort. Sometimes we'd provide it to the Ukraine office, and they would provide it, I mean, but -- and that's the general practice.

In that case, I don't recall. I hadn't focused on that call as much in my preparation for this and it's going back a little further. And I actually was busy today. I didn't see what the actual -- what was released today, this morning. I heard it was out.

Q Well, normally would -- so talking points would be prepared for the President. Is that right?

A Normally, yes.

Q And would those talking points sometimes inform the readout of the call that was issued after the call on the American side?

A Inform the readout? I'm not sure what you mean.

Q Would the talking points, assuming the President is going to cover those points, inform or provide the basis for a readout of the call?

A Oh, you mean public --

Q The public announcement.

A That is correct. Yes. I don't know how it is now and in that particular office, but typically, you would prepare a draft

readout and then they would edit, according to what might have actually happened.

Q So if the readout of a call may have included a reference to President Trump urging President Zelensky to fight corruption in Ukraine, might that have been based on talking points that were provided to the President?

A It might have been.

Q Would it surprise you if the President did not actually reference anticorruption efforts in Ukraine during the actual phone call, as reflected by the transcript that was released by the White House?

A Look, the President decides what he says on the call. He receives advice, and he can take it or not. I think we saw that with the July 25th call. It didn't include the things that I would ordinarily have thought would have reflected our policy in that call. So I don't want to speak to what may or may not have happened in that case.

Q But if the readout of the call says that the President of the United States urged President Zelensky to fight corruption, or something along those lines, wouldn't you expect the President to have actually said that during the phone call?

A Yes. I take your point. I would, yes.

Q Okay. So if that reference to fighting corruption appears in the readout, might it have been based on talking points that were provided, but were not actually used by the President during the call?

A It's possible. Yes, it's possible.

Q And you said you have not actually reviewed the transcript of the April 21st call that was released today?

A So I have a dim recollection of having seen some kind of readout of that call previously quite some time ago, and I don't recall the vehicle for that. Sometimes we get an email saying, Hey, in general, it was this. Sometimes we talk about it on a secure video conference where we say, We heard it was this, and sometimes we get what's called an [redacted] cable, which is a limited distribution formal readout. And on that one, I just -- there were a couple things that happened in that call that were distinctive that I recognized.

MR. NOBLE: Okay. I think my time is up, but maybe we'll pick back up there when we resume.

THE CHAIRMAN: Mr. Holmes, do you want a brief break or are you ready to go for the second hour?

MR. HOLMES: I would take that break.

THE CHAIRMAN: Okay. Why don't we take a 5-minute break, but let's try to keep it short.

[Recess.]

THE CHAIRMAN: Let's go back on the record. Before I yield to the minority, Mr. Holmes, I want to let you know, regrettably, someone has leaked your written testimony, which is deeply distressing. I advise our members, and our staff already knows at just about every deposition we do that the deposition rules require testimony to stay in this room. It's up to you and your counsel, if you want to release

your own statement. You are more than welcome to do so, but it is not up to members to do so. And I'm deeply disappointed and disturbed that that's happened, but I wanted to let you know as soon as I found out.

The time is with Mr. Castor for one hour.

MR. CASTOR: Mr. Jordan has questions.

MR. JORDAN: Mr. Holmes, when did you decide? When did you decide to come forward?

MR. HOLMES: I -- during the week before Ambassador Taylor came back for his testimony. I think he left on the Friday. That's when I was at the same time reading press accounts that --

MR. JORDAN: Last Friday?

MR. HOLMES: I'm sorry, sir? Yes.

MR. JORDAN: Was there like a specific -- I mean, you're --

MR. HOLMES: No. Yeah. I'm sorry.

MR. JORDAN: -- in front of three committees and part of an impeachment inquiry talking about a private conversation between two other individuals. One of them's the President of the United States.

MR. HOLMES: Yes, sir.

MR. JORDAN: It sounds like you'd sort of like know when you decided, I'm going to go do that. When did that happen?

MR. HOLMES: Yes, sir. As I said earlier, I sort of woke up every day reading the news about this process and wondering to myself, do I have something that's important? And as it played out, I was reasonably confident that most of the things that I knew were getting out and more, because I wasn't involved in all these -- a lot of these

engagements I was hearing about.

So as I said, sir, it wasn't until that week or maybe it was the week and a half before, where I started getting a sense like actually maybe this thing, this event, this --

MR. JORDAN: What I'm asking is -- go ahead. I'm sorry.

MR. HOLMES: Yeah, I'm sorry. I know what you're getting -- I think the point is there wasn't a single point where I said, that is relevant. Actually, it was when Ambassador Taylor was departing. You know, I was in his office, and I said, you know, I'm thinking this might be relevant. It's been weighing on me the last couple days, just, you know, this discussion of firsthand information and of, you know, freelancing and all that. I'm thinking this might be relevant.

MR. JORDAN: So what prompted -- I'm sorry, go ahead.

MR. HOLMES: Actually, it was his departure for the next round. I had read what he testified the prior round, reasonably confident that it was what I had to say at that point. But subsequent to that testimony, I realized that there was this focus on this freelancing and --

MR. JORDAN: So what prompted you was Ambassador Taylor's leaving the Embassy and coming back here to testify in front of -- in the open hearing?

MR. HOLMES: Yeah.

MR. JORDAN: Was there anyone else, some other person who prompted you to come and share this information?

MR. HOLMES: No, sir.

MR. JORDAN: So it was solely -- now, you had indicated you had shared this information with Ambassador Taylor on August 6, I think, when you returned from vacation.

MR. HOLMES: Yes, sir.

MR. JORDAN: Is that right?

MR. HOLMES: Yes, sir.

MR. JORDAN: Any idea why Mr. Taylor didn't share this information with us when we deposed him in October?

MR. HOLMES: You'd have to ask him that.

MR. JORDAN: He shared every other conversation he ever had with anyone.

MR. HOLMES: You'd have to ask him that, sir. I'm not sure.

MR. JORDAN: Had you conveyed it to him more than just that August 6th time?

MR. HOLMES: That's when I just -- I briefed him on what I heard, and I -- as I testified, I repeatedly referred to that call as sort of a touchstone piece of information as we were trying to understand why we weren't able to get the meeting and what was going on with the security hold.

I would refer back to it repeatedly in our, you know, morning staff meetings. We'd talk about what we're trying to do. We're trying to achieve this, that. Maybe it will convince the President to have the meeting. And I would say, Well, as we know, he doesn't really care about Ukraine. He cares about some other things. And we're trying to keep Ukraine out of our politics and so, you know, that's what we're

up against. And I would refer -- use that repeatedly as a refrain.

MR. JORDAN: So you didn't just talk to Ambassador Taylor about the call on August 6. You repeatedly referred to the call and the conversation with Ambassador Sondland in meetings and conversations with other folks, but certainly several times with Ambassador Taylor?

MR. HOLMES: I referred to the call and what I took from the call, yes.

MR. JORDAN: And did you refer the exact same things in those meetings that you referred to here in your testimony?

MR. HOLMES: I can't be confident that every time I mentioned, I -- I didn't brief the entire call again. I just referred back to the call as -- as when I -- you know, when I drew those conclusions that I mentioned.

MR. JORDAN: And tell me again -- I know you shared this with majority counsel. Tell me again who all you did share -- you shared this conversation that you overheard, you shared it with the people up your chain of command. Is that right?

MR. HOLMES: So, sir, I came back from the meeting, and I would have wanted to share it with three people. Only one was there. I shared with that person.

MR. JORDAN: And tell me that name again.

MR. HOLMES: Kristina Kvien.

MR. JORDAN: That's Chief of Mission?

MR. HOLMES: Deputy Chief of Mission, sir.

MR. JORDAN: Deputy Chief of Mission. And then when did you

share it with your Chief of Mission?

MR. HOLMES: When I came back from leave, which is actually the next business day that we were both in the office at the same time.

MR. JORDAN: So you shared it with one person on the 26th, right after --

MR. HOLMES: Correct.

MR. JORDAN: -- your direct report. When you came back on the 6th, you shared it with the Chief of Mission and Ambassador Taylor.

MR. HOLMES: With Ambassador Taylor. He was the chief. Yes. Same person, yes.

MR. JORDAN: Okay. And then who else?

MR. HOLMES: So after I came back, I, again, mentioned this call repeatedly to a lot of people. Before I departed, that afternoon on the 26th, I recall talking about the call, but I don't know to who. It was sort of, like, "you won't believe what I just heard" kind of thing. But at the same time, I came back from that meeting, I had a lot of work to do. I had to go sit in my computer terminal and write up the Zelensky meeting and the Bohdan meeting. And so, I can't tell you who precisely else I talked to on that afternoon.

MR. JORDAN: Let's go back to the call itself, page 6 of your written statement.

MR. HOLMES: Yes, sir.

MR. JORDAN: In the middle of the page, it looks like middle paragraph, you said, the President's voice was loud, very loud and recognizable.

MR. HOLMES: Yes, sir.

MR. JORDAN: So loud that the President -- or excuse me, that Ambassador Sondland pulled the phone away from him when the President was speaking. Is that right?

MR. HOLMES: Yes, sir.

MR. JORDAN: And then the next paragraph down, you say: Even though I did not take notes of these statements, I had a clear recognition that these statements were made.

So you heard these things clearly. Is that right?

MR. HOLMES: That is correct.

MR. JORDAN: The next sentence, though, you say: I believe my colleagues who were sitting at the table also knew that Ambassador Sondland was speaking to the President.

Why do you say "you believe"? It was clear and loud and recognizable. I assume they were sitting approximately the same distance from Mr. Sondland that you were. Why is it you believe?

MR. HOLMES: So two things: They were a little further away, first of all. They were off to the side and I was directly in front of him. So I don't know what they heard, and I never talked to them about what they heard.

MR. JORDAN: Were you all sitting at the same table?

MR. HOLMES: They were -- they were -- Sondland and I were here. They were off to the side over here.

VOICE: And, Mr. Chairman, just for the record --

THE CHAIRMAN: For the record, what "here" and "here" mean.

MR. HOLMES: Okay. So Sondland was directly across the table from me in front of me, directly in front of me. And he and I were having conversations. We were having a two-person conversation for the majority of this lunch.

Let me not say that. We were having a two-person conversation. The two other people, [redacted] was sitting to my right and [redacted] was sitting to Ambassador Sondland's left. They were across from each other. They had separate responsibilities at this lunch.

[redacted] was the Embassy control officer for the overall visit, you know, she was checking her phone, coordinating, you know, the motor pool and the flight and these kind of things. [redacted] was Ambassador Sondland's staffer, who was also checking her phone. I don't know what, but emails from -- back from Brussels, whatever. They were, on occasion, on the phone, or they were checking their emails. They were not fully always engaged in the conversation that Ambassador Sondland and I were having.

So it was my recollection, it was much more of a two-person kind of engagement, and they were also there. I don't know what they would have heard from the call.

MR. JORDAN: Okay. When lunch is over, you get back to the Embassy.

MR. HOLMES: Yes, sir.

MR. JORDAN: Did the three of you talk? Mr. Sondland is gone. Did the three of you talk?

MR. HOLMES: No. So the four of us left the restaurant together

in the same vehicle, and drove to the Hyatt. And the three of them, so [redacted] was going to stick with Sondland until the end of his visit, and [redacted] was going to fly out with Sondland. So the three of them stayed at the Hyatt.

I, then, went back to the Embassy myself. So I was never with the two of them after this meeting when Sondland was not there before I left for my vacation the next day.

MR. JORDAN: Did you ever have a subsequent conversation with either one of the other two individuals at the lunch after the one stays with Ambassador Sondland, one goes with Ambassador Sondland when he leaves, did you ever have a subsequent conversation with those two individuals?

MR. HOLMES: Certainly not until I returned from my vacation, and thereafter possibly, but only in the general sense of, you know, we might have been in the same meeting at some point when I said, you know, what I said before about this being relevant information. But I never had, to my knowledge, a direct conversation with either one of them about specifically --

MR. JORDAN: You never went up to -- I mean, you said this was -- earlier you said this was unbelievable. So you never went up to them and said, Hey, can you believe that call the Ambassador had?

MR. HOLMES: Yes. So [redacted] is at a different mission. I don't know if I ever even saw her since. And [redacted] is in a different section. She's a lower level than I am. I don't interact. She's not my counterpart in that section.

MR. JORDAN: [redacted] is in Kyiv with you?

MR. HOLMES: [redacted] is in the economic section. She is one of the line officers in the economic section. I'm in the political section. I walk by her in the hallway, but we were not working on a daily basis. The meetings that I would be in on a regular basis would be with the --

MR. JORDAN: I'm not talking about meetings.

MR. HOLMES: I'm sorry.

MR. JORDAN: I'm talking about you walk by her in the hallway.

MR. HOLMES: Yeah.

MR. JORDAN: Did you say, Hey, can you believe that call we had a week ago when we were having lunch with Ambassador Sondland?

MR. HOLMES: I mean, I might have done that, but I don't recall doing that. I don't recall having a conversation with her about that call.

MR. JORDAN: Tell me about this conversation you had with Ambassador Taylor that was prompt -- or what convinced you, whatever term you want to use, to come forward. When was this?

MR. HOLMES: That was on Friday, a week ago.

MR. JORDAN: A week ago today?

MR. HOLMES: Yes, sir.

MR. JORDAN: Okay. And tell me about that conversation.

MR. HOLMES: I was in Ambassador Taylor's office just on my regular business, and I said, you know, have a good trip, sir. And I said, you know, it's been on my mind, I wonder if, in light of, you

know, what we're now hearing with the narrative about potentially freelancing and the first-person stuff, I'm wondering now if that call that I overheard is increasingly relevant.

And he said, Oh, which call is that? And I said, Well, you remember, sir, I told you about this call in which -- I didn't go in detail, but I said, in which I overheard this conversation at lunch. And he said, I do remember something about that. I'm not sure if you told me or someone else told me, but that rings a bell.

MR. JORDAN: And did he give you advice or counsel on what to do?

MR. HOLMES: No.

MR. JORDAN: What did you do after that?

MR. HOLMES: I went back to my office. He left, I believe, the next day or two. He sent me a message saying, I raised the issue with my attorneys. They think it's significant. They feel they're going to have to raise it with the gentlemen, with the ladies and gentlemen of the committees. And my lawyers think you should retain counsel.

MR. JORDAN: Then what did you do?

MR. HOLMES: I said, I've never done that before. I don't know where to begin. Can you ask for, you know, any recommendations, any names? I don't even know where to start. And he sent me a couple names from his lawyers.

And I said, well, I really need -- I didn't tell him this. I said to myself, I really need to start with AFSA, which is a professional association, where I'm aware they have a legal defense fund. And so I called -- I emailed AFSA, the AFSA president to ask him, you know,

if I were to need to retain counsel urgently, what would I do about it. I think this was on a Saturday, so I was aware I wouldn't get an answer.

So, in parallel, I was reaching out to them to make sure I had, you know, their -- whatever the right procedure was. And then I reached out to my lawyer and I, you know, looked at his resume. He looked very qualified. And so things are moving --

[Laughter.]

THE CHAIRMAN: He wasn't qualified, so I looked for another lawyer.

MR. HOLMES: So I was a little bit frightened by how fast this was moving, and so I did what I could very quickly.

MR. JORDAN: And your counsel contacted the committee?

MR. HOLMES: My counsel --

MR. JORDAN: Then your counsel contacted the committee?

MR. HOLMES: I believe so. I believe so. Yes, sir. Yes, sir.

MR. JORDAN: All right. I'm going to let Mr. Castor go.

BY MR. CASTOR:

Q [redacted]?

A [redacted].

Q She overheard parts of the call as well?

A So I'm almost certain she knew that Ambassador Sondland was talking to the President. I do not know what she overheard, because I never talked to her about what she overheard.

Q Okay. So since the July 26th event?

A Yeah.

Q You haven't had any occasion to speak with her about the call?

A I just haven't spoken with her about the call.

Q Okay. Did you know at one point the committee had invited her to participate in this process?

A Actually, I do know that, yeah.

Q Okay. And did you have any communications with her about that?

A I didn't hear from her that she got invited to participate in the process. I heard from other people just secondhand, Hey, did you hear [redacted] is going back? But that was it.

Q Okay. So you haven't had any talks with her about matters relating to this investigation?

A No, not the substance of it. So she, I guess, came back. I don't exactly know what happened when she was here, because I don't talk to her on a regular basis. But when I was going to go back -- I'm trying to think how this went.

Yeah. Then I did run into her and said, I'm going back. Anything I need to know? I know you were just back. And she said -- she said, Oh, well, it turned out I didn't end up giving a deposition. I don't know what she did. And I said, Well, it's looking like this thing is moving really fast and I'm going to go back, and I think some of the things that I heard, you know, at that event that you were at as well may be relevant to this.

Q That's pretty much the sum and substance?

A That's pretty much the sum of it, yeah.

Q When you recounted this episode, you sort of identified, you told the DCM and you subsequently told Ambassador Taylor. Were there any other key figures that you communicated about this episode other than --

A About or with? I'm sorry. People I spoke with or about?

Q Any other officials at the Embassy --

A No. Right.

Q -- that you briefed out on this call, not the side conversations that you made about it?

A Right. No. That's why -- it was three people I would have wanted to brief this on, and only one was there and I did that.

Q Okay. Did the DCM give you any instructions for memorializing the conversation?

A No, she didn't.

Q Okay. So you just -- you briefed her, and that was pretty much --

A Yes.

Q -- the end of it?

A Yes.

Q And then when you reconvened with Ambassador Taylor after your vacation, and you related what you heard on the call to him, do you remember his reaction?

A You know, yes, I remember the look on his face. And it was like -- how do I describe this without -- so we can take it down. It

was like, yeah, as we expected.

Q Okay. When is the first time the Sondland-Volker component of this sort of come into your lane?

[6:27 p.m.]

MR. HOLMES: So the first time that what became, you know, called the Three Amigos, got together and came to Kyiv and engaged and I saw what they were doing and all that, I believe, was on May 20th, that inaugural delegation.

BY MR. CASTOR:

Q Okay. And was that the first time you had met Ambassador Sondland?

A Let me get it right. He came to Ukraine previously, but I wasn't involved with that. I think he went down to Odesa for a ship visit. I don't recall meeting him or engaging with him subsequently.

Q Okay. And how many times do you remember him visiting, was it the -- for the -- where you had, you know, one-on-one interactions with him? It was for the inauguration and then it was July 26th, and were there others?

A Those were the two main ones. I mean, I'm sorry, if there was another one, it would have been like I joined for one meeting or something, but not having a lot of interaction.

Q Okay. But no other meetings that raised the prospect of the investigations?

A As far as I know. I can't recall other meetings so I don't know.

Q So to the best of your knowledge, anything relating to the 7/25 call, the investigations, that's all captured in your statement?

A Yes, sir.

Q Okay. Had you been aware of the, like, the role that Volker, Sondland, and Perry were, you know, performing prior to the inaugural? Like when you saw that they were coming had you been clued in that --

A Yeah.

Q -- they had a role?

A They all had been involved in some fashion in Ukraine. Ambassador Volker in particular was a very important person for us in Washington because he was this special envoy, special representative, who sort of -- we understood was sort of helping us advance Ukraine policy, was able to get out messaging very quickly in support of Ukraine when we needed to, and he played a number of important roles, frankly, in helping, you know, from the time he came on that assignment, not only in the peace process, which was his specific focus, but in a broader range of events.

So he was well known to us. We worked closely with his staff. The external unit in the political section that I supervised was in regular contact with his staff on those issues. So he was well known to us, and we knew how to work with him.

For example, it's that relationship with him then changed in some ways when he became part of this group. And we understood that he was sort of participating in that to sort of harness the abilities of Gordon Sondland and possibly Secretary Perry to get the President's interest and engagement on Ukraine to help advance what we already knew he was working on.

Q And Ambassador Volker had been a career Foreign Service

officer. He was somebody with a professional skill set in the realm of diplomacy, right?

A I believe so, yes.

Q And the role of Secretary Perry, when did you first learn about his involvement?

A Yeah. So the Department of Energy has an attache in Kyiv. They have a whole agenda with the Ukrainian Government, whether it's from nuclear issues to energy issues of various kinds. So there is a whole range of things that the Department of Energy has worked on there.

That's not my expertise. And so I know that Secretary Perry was involved in various ways over the course of time. But the first time that I understood that he was involved in a comprehensive effort to engage in the way that they did in a new administration, formulate a new policy -- not a new -- formulate an agenda and where they were our main points of contact to do that was starting with this Three Amigos formation.

Q Okay. And the term, when did you first hear the term "Three Amigos"?

A It just started getting used. I believe Sondland might have used it in a press interview. I don't remember exactly. But it became what --

Q Okay.

A Yeah.

Q He mentioned it in the 7/26 interview that we were talking

about in the first round. I don't know if that rings any bells for you.

A Honestly, I don't know when -- the genesis of it. I was calling them the triumvirate at first, the three of them. And then people started using the Three Amigos, so I started using the Three Amigos. I don't know where it came from.

Q Okay. You mentioned Secretary Perry had passed a list to President Zelensky regarding energy industry contacts that he could trust. Is that how you --

A So I didn't see the list. I saw him pass a piece of paper. I don't know what was on it. He described it in the meeting as a list of trusted individuals who he would encourage President Zelensky to consult on energy reform issues.

Q Okay. In your interactions with Secretary Perry could you just sort of walk us through the various data points involving him?

A On what date, sir, a particular --

Q Well, he was -- and he came to the inauguration?

A Yes. So what I can say -- again, so he had involvement with Ukraine, with Embassy staff, with an attache on various issues at various times. I did not track closely because I don't work on energy issues.

The first time that I started tracking those issues closely was when he started playing a role, a central role, as the head of the Presidential inaugural delegation and as a figure in this group that were collectively advancing an agenda.

Q Okay. Are there any other key meetings involving him?

A I mean, from that point, as I understood it, he was involved in those conversations, so I don't --

Q The meetings that you were in.

A Well, on the margins of these meetings --

Q Right.

A -- we would interact, we would wait in the waiting room to go into the Presidential Administration Office or, you know, a country team brief when they'd visit and we'd give them our sense of what was going on.

So there were interactions, but I don't -- but, you know, on the margins of these other events.

Q When is the first time you became aware of the investigations, you know, whether it be Burisma or 2016? Like when is the first time that that --

A Yeah.

Q -- concept struck you?

A The concept seemed to be gathering in importance and a kind of a centrality of focus starting around March when this sort of media barrage started that I described previously, and that was a consistent theme of those narratives. And that's when I started focusing on that as being a live issue as opposed to a historical issue, because a lot of that stuff happened before I even arrived in Ukraine.

Q Okay. And did you learn of that just through news accounts?

A Yes, mostly. I mean, but people were talking about it, you

know. So you would meet people at a, you know, reception or something, and they would say, you know, what's going on with these press reports about Burisma and all that, you know. I mean, it was a topic of conversation.

Q Okay. But it wasn't any firsthand information based on Sondland, Volker, or Perry? In that timeframe.

A Well, except what I've testified to, sir.

Q In the March timeframe.

A Not that I'm aware of. Not that I'm aware of, no.

Q I guess what I'm trying to connect is, you know --

A Yeah, sure.

Q -- it was a concept that was in the news and people were talking about it.

A It was.

Q And then it became part of your -- something that you participated in and you started to get firsthand information about.

A That's correct.

Q And I was wondering if you could just sort of explain how that came to be.

A I think I've outlined it in my testimony, sir, that we hear about these -- this investigation coming from various sources, whether it's in the media, and then over time through these interactions that I've explained sort of started drawing the conclusion this was a -- potentially a central element of kind of an agenda that was not consonant with what we understood to be our formal policy.

Q And did you ever, you know, relate concerns that you had with your DCM or Ambassador Taylor or Ambassador Volker or Ambassador Sondland when these events were coming together?

A In a different kind of way. We were told to do our jobs and advance our Ukraine policy as we understood it. And we were trying to understand why these things were coming to prominence and were not going away and why there's so much focus on them. So that's how I focused on it more.

Q Okay. And do you know if anybody at the -- at post, you know, tried to confer with Volker or Sondland or Secretary Perry to express concern about these investigations?

A So, again, you know, we were -- how do I put this? We understood those things to be political things that are relevant in U.S. domestic politics, and we stayed out of that.

And so I'm not sure if we expressed concern that there was a narrative in the U.S. media about this sort of thing, but we were concerned that that was out and was something that seemed increasingly important.

And it was a concern of ours that we didn't understand why, we didn't know what to do about it, and it seemed increasingly to impinge upon our ability to advance the policy that we understood. So there was an expression of concern, but we didn't know what to do about it.

Q Okay. And do you know if anyone from post tried to connect with Volker? Because among the three, Volker is probably closest to someone with the skill set in professional diplomacy, correct?

A I mean, the conversations, the interactions that I've testified to and that I understand that Ambassador Taylor testified to are the ones we think are relevant with respect to these issues.

Q Okay. So you never had an opportunity to have a one-on-one conversation with Ambassador Volker to get his feeling on where these matters are proceeding?

A Not outside of the instance that I've described and others have described.

Q Okay. So you haven't really had a one-on-one with Volker?

A I have not had a one-on-one with Volker, but in Volker's visits we would talk about things, you know, in the course of the visits.

Q Okay. When Ambassador Taylor arrived in Kyiv, was there ever an introductory briefing to him where any of these issues were discussed?

A The reason I'm trying to remember is because he arrived -- he was aware of these issues when he arrived, I mean, perhaps more than we were. He'd just come out of a bunch of meetings in Washington where he was talking about what he was going to -- what his, you know, role was in Ukraine.

I've seen it reported and he has mentioned also that he wanted to meet the Secretary personally to ensure he understood what his mandate was and if he would be backed by the Secretary to implement the Ukraine policy as he understood it. So I seem to recall him testifying about some of these issues.

So he came to post, at least on this set of issues, these

investigations and whatnot, aware and telling us what the Secretary, you know, his instructions to him, yes, I'll back you and whatnot.

So it wasn't like we did a soup-to-nuts briefing for him on the Burisma issue, but we, you know -- and like I said, it was something that preceded us. We were all reading the media.

Q I mean, he arrived at post about a month into this, you know, if the Three Amigos, as they're called, you know, came for the inauguration, you know, May 20th. A month later, June 17th, Ambassador Taylor arrives. And I guess I was wondering, did -- if you remember any of the introductory meetings with Ambassador Taylor. Did he communicate anything specific about, is this going to be our posture?

A Yeah. He said, we don't get involved in U.S. politics. He said, do your jobs, be professionals. Focus on implementing Ukraine policy. Don't worry about that. Don't worry about that static. That's for other people to worry about.

So, sorry, I didn't convey that clearly, but that's what he brought to post. His instructions were to do our jobs as we understood them.

Q Okay. So to the extent Sondland, Volker, Perry were involved with some of these issues, you had instructions, understanding from the Ambassador, Ambassador Taylor, not to get involved?

A Correct, which is in many cases why Ambassador Taylor is wanting to have those interactions with them, not those of us on the staff.

Q Okay. Fair enough.

You related the conversation you had with Ambassador Sondland at the lunch.

A Sure.

Q And I think you said something to the effect of, you know, why doesn't President Trump care about Ukraine? Is that right?

A Yes, sir.

Q And, you know, there are sort of a number of, you know, facts that have occurred during the Trump administration that have been favorable, correct?

A Yes, sir.

Q You know, the providing of --

A Yes, sir.

Q -- lethal defensive weaponry --

A Yes.

Q -- the Javelins --

A That's right.

Q -- is a positive development.

A Yes, sir.

Q Also a symbolic development.

A Exactly.

Q And the delegation to President Zelensky's inauguration was a good group, correct?

A I would regard that as -- how do I put this? That was not as senior a delegation as we might have expected.

Q Okay. Even given the short timeframe?

A It's a fair consideration. It's a fair question. But, like I said, it's not the level that we were hoping for.

Q Like our understanding from the Vice President's side of things is that, you know, willing to go and had given some dates and I believe the dates were, you know, May 28th, 29th.

A Yes.

Q Do you recall any of that, the window the Vice President's office --

A Yeah. It was a narrow window. I'm just saying that even despite the narrow window, our understanding was the proposal was for the Vice President to attend and in the end he didn't. I'm not --

Q Okay.

A Yeah.

Q And the May 20th inaugural date was set, I believe, on the 16th or --

A Yes.

Q -- right around that time?

A So, yeah, we knew there was going to be an inauguration from the time he was elected in the second round, and so we began making preparations for what that delegation would look like. I don't want to put the date on it, but we knew we'd need to do that and preparations were underway.

You're right, when it was actually finally called was very close to when it happened, but we had had an indication before that about when it was likely to happen.

Q Okay. But marshalling the Vice President's operation is somewhat complicated, correct?

A That's correct, yes.

Q He's got a whole Secret Service component --

A Yes, sir.

Q -- to do advance work and book hotels, and his traveling contingent is --

A That's correct.

Q -- much larger than just about anyone other than the President, correct?

A That's correct.

Q So if the Vice President, you know, couldn't attend given the short timeframe or for some other reason, like, what type of delegation did you -- were you hoping for?

A Well, I'm going to just -- we were hoping for the Vice President and --

Q Right.

A -- but since he wasn't available then sending a Cabinet secretary was a reasonable thing to do.

Q Okay.

A So I'm not saying we were dissatisfied with the delegation, I'm just saying, you know, it wasn't where we started.

But then it also turned out that that delegation became the people who were de facto in the lead on our Ukraine policy going forward. So just stating it as a fact.

Q Okay. And I can't remember as we sit here today whether it was Ambassador Sondland or Ambassador Volker, but one of the witnesses, you know, that has provided testimony that has been released has, I think, characterized the delegation as being one of the larger delegations from the visiting countries. Is that fair to say?

A The United States usually is one of the bigger delegations in my experience because we're an important country.

Q Right.

A They make room for us because we matter. I'm not sure how we compared to other delegations in that instance. I'm not sure.

Q Okay. But if one of the witnesses characterized our delegation as, you know, one of the bigger ones, if not the biggest, that wouldn't be completely out of -- that wouldn't be inconsistent with your recollections?

A It was a five-person delegation, and I don't think that is especially large. I don't recall if that was large relative to others.

Q Okay. And then there were some other -- and I don't know if you consider them high level -- but there was a delegation that visited with the National Security Advisor in July?

A Well, there's Tim Morrison, his staff. I'm not recalling which delegation.

Q There was a delegation involving Ambassador Sondland, Ambassador Volker, I believe Mr. Yermak, and some other Ukrainian officials that visited the White House complex --

A Oh, Washington, I'm sorry. I thought you meant --

Q -- and met with Ambassador Bolton, the National Security Advisor?

A I believe so, yes.

Q In the middle of July?

A Yes.

Q And then subsequent to that, Ambassador Bolton visited Ukraine.

A Yes.

Q And were you involved at all with Ambassador Bolton's August --

A I was.

Q -- 27th, 28th, 29th visit?

A Yes.

Q And what do you recall from that set of meetings?

A I think I included that in my testimony, with the meeting with Mr. Zelensky -- actually, there were other meetings. There was a meeting with Mr. Bohdan, and then there were the things I heard Ambassador Bolton say on the margins of that meeting as well.

Q Okay. But that was a productive visit?

A Yes.

Q I mean, was that the type of -- you know, a signal the U.S. could send that it values its relationship with Ukraine?

A That was the -- I would say probably the biggest visit we had since President Zelensky's inauguration. He's not the President of the United States. That's who they were asking for. And he left

his post, I think, the next week.

Q Okay. And then several days later President Zelensky met with Vice President Pence in Warsaw?

A Yes. President -- National Security Advisor Bolton came with the news that President Trump was going to meet Zelensky in Warsaw. And then he did not go to Warsaw. So they met -- again, the expectation was that that was an opportunity to meet the President and it turned out not.

Q So just -- when you asked the question of Ambassador Sondland about, you know, sounds like President Trump doesn't care much about Ukraine, I mean, there are several, you know, data points -- the Javelins, the engagement at the inauguration, the two Bolton meetings, the Vice President Pence meeting -- that at least on the other side of the coin shows that the U.S. was investing in its relationship with the new administration in the Ukraine, correct?

A So the Javelins happened quite a while ago. That was an important thing.

Q Right.

A It was positive. That was under the prior Ukrainian administration and quite a while ago.

Q Right.

A Since the election of President Zelensky on a landslide and on a platform that was consistent with our interests, including anti-corruption, a lot of senior officials expressed interest and indeed visited, as you said, but not the President.

Q Okay. And were you hoping that the President of the United States would visit Kyiv?

A No. The President ultimately sent Zelensky a congratulatory letter that said I look forward -- something like I look forward to welcoming you to the White House, without a date specified. So on that basis the Ukrainians thought that they were going to get the most important meeting that they identified.

And it was in that phase, starting in March and leading up to -- so this is now several months after March and the inauguration where we had -- the President had not engaged in -- he had not followed up on the offer of a meeting, and we didn't understand why, and in that context that I asked the question.

Q I think during the first hour of questions, going back to the meeting that you -- that occurred on May 20 -- I'm sorry, July 26th -- between Ambassador Sondland and Mr. Yermak, that you sort of lost track of Ambassador Sondland and he was ahead of you and he had a private meeting?

A Yeah.

Q I want to go back to that.

A Sure. What actually happened was, again, I was going to do the Bohdan and Zelensky meeting, and then since Sondland -- so -- sorry.

Kurt Volker had met Yermak the day before prior to Sondland's arrival. I believe it was that night or at some point after his arrival that Sondland said, well, I want to meet him, too. So we added that meeting late.

I was already going to cover the Bohdan meeting, the Zelensky meeting. That's actually quite a bit to cover and write up. And so I believe it was Kristina Kvien, the DCM, who was going to come to the President's administration to cover the Yermak meeting because Charge Taylor couldn't stay for that. He had to leave for the front lines with Volker, right?

Q Right.

A So something happened. I don't recall exactly. She didn't get access to the building or something. And so when I came out of the meeting I was told to take her place as Embassy representative in the meeting.

Q Okay. And then I think you indicated you lost track with Ambassador Sondland and then he --

A I came out of the meeting not expecting to go to the next meeting, and one of the staff people said, you're supposed to go to that meeting. I said, no, she is. Then they told me the story. By that point, he was a flight of stairs up. I tried to catch up, and I -- and he went in.

Q Okay. And so you waited in the anteroom --

A Correct.

Q -- while the meeting happened?

A Correct.

Q And how long did the meeting last?

A Thirty minutes.

Q Okay. And then Ambassador Sondland came out, and is that

when you departed for lunch?

A Yes.

Q Okay. And did you ask Ambassador Sondland what he discussed? And I apologize if you have already answered this.

A No. I said -- so it was in the context of going to lunch. I did want to know what he discussed. And I said, you know, I'd be happy to come to you with -- come to lunch with you, for example, if you would like to brief out on that meeting or talk about other issues. And he said, yeah, sure, come along.

And at the lunch I did not specifically say, what did you and Yermak discuss? Also, it was clear to me from the tone of the lunch that he didn't regard it as a working lunch. Maybe I could have asked, but I didn't.

Q Oh, okay.

THE CHAIRMAN: I just want to tell Members, we're going to see if we can get the air back on, because I know it's getting very hot in here.

MR. CASTOR: Late and hot.

MR. HOLMES: I thought it was just me.

THE CHAIRMAN: No, it's not just you. We may all have to do the Jim Jordan and take our coats off.

MR. CASTOR: I'd like to make sure that our -- Mr. Zeldin.

MR. ZELDIN: [redacted], did I pronounce her name correctly? [redacted] --

MR. HOLMES: [redacted].

MR. ZELDIN: [redacted].

MR. HOMES: Yes, sir.

MR. ZELDIN: So you said that you haven't discussed the call with her, but you said you did speak with her after she returned from D.C. Is that correct?

MR. HOLMES: Yeah. Only once I found out that I was coming back. And I basically said, it looks like I'm going back now. It seems to me this thing is important or they're telling me it's important, so I'm going back, you know, any tips on the process, basically.

MR. ZELDIN: Did she indicate whether she had met with anyone while she was in D.C.?

MR. HOLMES: No. No.

MR. ZELDIN: And where were you when you spoke to her? Was this in person or on the phone?

MR. HOLMES: It was in person.

MR. ZELDIN: And how long did you speak to her for?

MR. HOLMES: Five minutes, less.

MR. ZELDIN: And you said you said something about the event that you had been at together being relevant to this inquiry. Is that right?

MR. HOLMES: Yeah.

MR. ZELDIN: And what did she say in response?

MR. HOLMES: You know, I said, I don't want to talk about anything of substance. It looks like that event is increasingly significant and so I'm heading back. Anything I need -- any tips on, you know, process on what this is like?

That's when she told me, actually I didn't testify in this format. And I said, yeah, I had to hire a lawyer, and we talked about working with AFSA and how you do that. And that was it, I think.

MR. ZELDIN: And by the event you were at together, you meant the lunch you were at with the President's phone call --

MR. HOLMES: Yes. Yes.

MR. ZELDIN: Did she say anything to you substantively about the event?

MR. HOLMES: No. I said, I don't want to talk about the event, I don't want to talk about that incident, but it sounds to me like that's significant.

MR. ZELDIN: I wanted to ask you a few questions about your opening statement. Starting on page three, you said, quote, with regards to the term the Three Amigos, you say, quote, later styled themselves the, quote, Three Amigos and made clear they would take the lead on coordinating our policy and engagement with the Zelensky administration.

Where did you hear that they, quote, styled themselves the Three Amigos?

MR. HOLMES: So people started using the term, and someone then told me that Sondland had used it in an interview to describe themselves. And people started using the term, like when we were talking about the three of them rather than naming them individually.

MR. ZELDIN: So the origin of that was that Sondland used it in an interview?

MR. HOLMES: I mean, I haven't traced the origin, but that's what I understood.

MR. ZELDIN: That's what you believe the origin to be?

MR. HOLMES: That's what I believed, yes, sir.

MR. ZELDIN: And can you give me a rough timeframe of when that interview was?

MR. HOLMES: I don't know, sir. It's hard to say. Like I said, I was calling them something. Someone else said, oh, actually, I've heard them called this, and I heard other people using that term. And then at some point someone said, where did that come from? And someone else said, he used it in an interview. But I don't -- it just became a term of art.

MR. ZELDIN: When did they make, quote, clear they would take the lead on coordinating our policy and engagement with the Zelensky administration?

MR. HOLMES: Yeah. That was -- so on the May 20th inaugural delegation there were preparatory meetings at the Hyatt. So there's a Country Team briefing where members of the Embassy Country Team would just sort of give a briefing on, you know, the political landscape and these sorts of things that I participated in.

And they would talk. What are we going to raise with Zelensky? And what's, you know, what's -- what are our priorities? And they would talk in terms of we need to formulate an agenda to engage this new administration, help them to succeed, and help them to deliver things that -- you know, a meeting with the President is very important, and

they think it's important, and we need to help them deliver things that will make clear to the President that a good relationship with Ukraine is important.

So it was just part of the discussions during the visit.

MR. ZELDIN: Okay. And then throughout your opening statement you referred to the term "the Three Amigos." Every time you reference it, for example, the meeting that Senator Johnson was at --

MR. HOLMES: Yes, sir.

MR. ZELDIN: -- did he use the term "Three Amigos"?

MR. HOLMES: I don't know. So I guess I'm just using it as a collective noun to describe -- not refer to the three individuals who, you know, uniquely comprised that group that they used to describe themselves. So that's why I used it that way.

MR. ZELDIN: Okay. So as we read your opening statement it's not that these different individuals are using the term. You're just, as you drafted your opening statement, you're just referring to all three as the Three Amigos --

MR. HOLMES: Yes.

MR. ZELDIN: -- instead of listing the three out?

MR. HOLMES: Correct. But they also used the term as well to describe themselves.

MR. ZELDIN: Correct. But not --

MR. HOLMES: Yes.

MR. ZELDIN: But every single time -- you reference it a lot in your opening statement.

MR. HOLMES: Oh, yeah. So, for example, for example, that meeting with Senator Johnson, it would have been those three individuals plus Senator Johnson, yes.

MR. ZELDIN: Okay. But it's not that Senator Johnson is using the term "Three Amigos"?

MR. HOLMES: You know, I don't -- I believe he may have, sir.

MR. ZELDIN: You're not sure?

MR. HOLMES: Lots of people were using that term.

MR. ZELDIN: But you're just not sure?

MR. HOLMES: I'm not sure.

MR. ZELDIN: Okay. So, okay, going back to page three, I believe you say, quote, Mr. Giuliani, a private lawyer, was taking a direct role in Ukrainian diplomacy, end quote.

How do you know that he wasn't getting involved in just trying to represent the President as his client as opposed to getting directly involved in Ukrainian diplomacy?

MR. HOLMES: The Ukrainians, conversations with the Ukrainians, viewed him as an important representative of American interests and of the United -- let me say it this way. They viewed him as a significant individual in terms of their relationship with the United States.

MR. ZELDIN: But that -- okay. But you state at the bottom of page three that Mr. Giuliani, a private lawyer, was taking a direct role in Ukrainian diplomacy. How Ukraine views Rudy Giuliani doesn't explain why you say that Mr. Giuliani was taking a direct role in

Ukrainian diplomacy.

MR. HOLMES: Sure. So that's the topic sentence of a paragraph where I describe how Ukrainians are saying that Mr. Giuliani is reaching out to them directly to make contact. And we understood from them that they regarded him as an important person to talk to, to understand -- to manage their relationship with the United States.

MR. ZELDIN: But how do you know that he wasn't just getting direct -- he wasn't getting involved in trying to represent his client as a private lawyer?

MR. HOLMES: I'm just trying to say, sir, that the Ukrainians viewed him in broader terms than that.

MR. ZELDIN: Okay. So you're saying that the Ukrainians were viewing him as that, not -- you're not saying that you concluded that Rudy Giuliani viewed himself as being directly involved in Ukrainian diplomacy?

MR. HOLMES: Also, some of the priorities he and people close to him had been articulating for weeks increasingly became, as we understood it, other priorities that the administration held, in our view. So these two things were happening in the same time, and we were increasingly becoming aware that he was playing this role.

MR. ZELDIN: Was Rudy Giuliani representing his client as a private attorney?

MR. HOLMES: I have never spoken with him, sir. So, I mean, you could ask him.

MR. ZELDIN: Okay. But you're concluding -- I'm trying to

figure out what you're concluding.

MR. HOLMES: Yes, sir.

MR. ZELDIN: Are you concluding that Rudy Giuliani wasn't representing his client as a private attorney?

MR. HOLMES: At one point he, Mr. Bakanov, told me that, you know, someone named Giuliani said he was an adviser to the Vice President. Again, this is speaking in Russian. He could've gotten the name --

MR. ZELDIN: Okay. So --

MR. HOLMES: He could've -- yeah.

MR. ZELDIN: So to that point, I mean, your quote says, someone named Giuliani who said he was an adviser to the Vice President.

MR. HOLMES: Uh-huh.

MR. ZELDIN: Are we referring to Vice President Pence, President Trump, or someone else?

MR. HOLMES: That's what he said. I don't know what he meant by that. But that's what he said. And so they -- they seem to think that he was a significant person in terms of managing their relationship with the United States.

MR. ZELDIN: Okay. You state, quote, Sondland stated, dammit, Rudy, every time Rudy gets involved he goes and effs everything up.

When did Sondland say that?

MR. HOLMES: It was at the Hyatt amongst those various preparatory meetings prior to the meeting, the day.

MR. ZELDIN: I might get back to that.

You arrived in August of 2017?

MR. HOLMES: Yes.

MR. ZELDIN: What were you doing before August of 2017?

MR. HOLMES: I was in Ukrainian language training in Washington for a year, just shy of a year.

MR. ZELDIN: And what were you doing before that?

MR. HOLMES: I was at Embassy Moscow for 3 years.

MR. ZELDIN: Okay. Was this your first assignment in Ukraine?

MR. HOLMES: Yes.

MR. ZELDIN: And if I understand correctly, [redacted]?

MR. HOLMES: [redacted].

MR. ZELDIN: [redacted]?

MR. HOLMES: [redacted].

MR. ZELDIN: [redacted]?

MR. HOLMES: [redacted].

MR. ZELDIN: [redacted]?

MR. HOLMES: [redacted].

MR. ZELDIN: [redacted]?

MR. HOLMES: [redacted]

MR. ZELDIN: When you arrived in August of 2017, is it true that the picture of President Trump wasn't yet up inside the Embassy?

MR. HOLMES: I don't recall that, sir.

MR. ZELDIN: You don't recall whether or not --

MR. HOLMES: I don't recall whether -- I mean, I don't recall whether it was up or not.

MR. ZELDIN: It may have been up, it may not have been up?

MR. HOLMES: Yes, sir.

MR. ZELDIN: When you stated that you read a lot about Sondland's testimony in the news, which news sources did you get that from?

MR. HOLMES: Sir, I don't think I did read a lot about Sondland's testimony in the news. I think I saw headlines and articles. It could have been news apps on my phone. It could have been Washington Post, Times.

Also, we have a press team at the Embassy that does a compilation every day of Western media sources, and so we get this email with all the headlines and stuff. I don't always pay attention to what the source was. But, I mean, I just take that in, sort of subsume it.

MR. ZELDIN: Other than Ambassador Taylor, who else, other than your attorney, of course, have you spoken to about your testimony today?

MR. HOLMES: About the substance of my testimony? No one. About the fact I'm testifying? People, you know, friends and family close to me.

MR. ZELDIN: And before you had that conversation last Friday with Ambassador Taylor, did you have any conversations with anyone about that call?

MR. HOLMES: Only as I've described, sir.

MR. ZELDIN: Did anyone refresh your recollection of the call? Did anyone help you refresh your recollection of the call?

MR. HOLMES: No, and that wouldn't have been needed, sir, because, as I said, the event itself was so distinctive that I remember it very clearly, and I was constantly thinking about whether that incident was relevant as this process unfolded.

MR. ZELDIN: You state in your opening statement, Ambassador Taylor did tell me on September 8th, quote, now they're insisting Zelensky commit to the investigation in an interview with CNN.

Do you know where Ambassador Taylor got that from?

MR. HOLMES: Offhand, I don't. I remember him telling me that.

MR. ZELDIN: But you don't know Ambassador Taylor's source of information?

MR. HOLMES: He'd been in -- so, again, my instructions were to do my job and not worry about Washington politics.

MR. ZELDIN: I understand, but --

MR. HOLMES: And so that's the context. And so I was aware that he was having interactions with Volker, Sondland, and Perry. He was not always briefing me out on the specific interactions, whether it was a phone call or an email.

So I don't have full -- there's a lot of things I don't know, but what I do know is he told me that.

MR. ZELDIN: Right. But just to be clear, you don't know where he got that from?

MR. HOLMES: No.

MR. ZELDIN: Did that interview -- and that interview never actually happened, right?

MR. HOLMES: Sorry, Zelensky's interview with CNN, no. To my knowledge, no. I did see a headline this morning, I haven't read the article, Fareed Zakaria discussing that interview and its scheduling or whatnot. But I haven't read that yet.

MR. ZELDIN: And the hold on aid was, in fact, released, correct?

MR. HOLMES: It was.

MR. JORDAN: On page five, Mr. Holmes, you say -- the bullet point -- or paragraph six -- or section six, freezing of security assistance, the last sentence you say, while I'm not aware of testimony regarding discussions between Ambassador Taylor, Ambassador Volker, and the Three Amigos. Is there a reason why you separated out -- I mean, my understanding is Ambassador Volker is part of the Three Amigos. Am I missing something in that sentence why it's separated out?

MR. HOLMES: I'm sorry. Which paragraph, sir, are you in? It's --

MR. JORDAN: Page five. While I'm not aware of testimony --

MR. HOLMES: Ah.

MR. JORDAN: -- regarding -- at the bottom of the section --

MR. HOLMES: Oh, I think, sir -- so I believe that on July 19th, 20th, Taylor testified that there were some interactions, including with Volker. So I think that's why I singled him out there, because I wasn't aware of that particular one. And there may have been other ones, I don't recall exactly. But my point is, like, those were things I didn't know until I read his testimony.

MR. JORDAN: But there was -- was there something significant,

so significant that you didn't view Ambassador Volker as part of the Three Amigos --

MR. HOLMES: No, sir. No, sir. That may have just -- no, sir.

MR. JORDAN: Okay. Thank you.

MR. HOLMES: Yeah.

MR. ROY: Mr. Holmes, can you go back? I just want to go through a couple things.

MR. HOLMES: Yeah.

MR. ROY: When did you speak to Mr. Taylor first, after the call that we're talking about here today?

MR. HOLMES: That would have been the Tuesday after I returned. Is it the 6th, I think?

MR. ROY: August, the 6th?

MR. HOLMES: Yes, that sounds right.

MR. ROY: Okay. And in that conversation, how long did you all talk?

MR. HOLMES: So we have a weekly-ish kind of deep dive on political issues with the Ambassador. And so that would have been my first day back in the office. And I went -- so we bring a couple members of the Political Section to sort of talk more in depth about certain issues.

Sorry. I'm at my first day back, so I took a couple people, sat, I remember where he sat, and we discussed it. And I said, and, sir, before I left there was this call, I want to make sure you're aware, and it was significant.

MR. ROY: And how many people were in that room?

MR. HOLMES: So that particular day, I don't know. It always would have been my deputy, [redacted], unless she was not there, but I recall that she was. And then we usually bring the unit chiefs. There's three of them. But, again, sometimes people are out on other business. So I don't remember exactly who was there that particular day. Kristina Kvien, also the DCM, would join if she was there and available.

MR. ROY: And was that where you described the call --

MR. HOLMES: Yes.

MR. ROY: -- from July 26th?

MR. HOLMES: Yes.

MR. ROY: And what was his reaction?

MR. HOLMES: It was a knowing nod, sort of a, yeah, that confirms what we've been hearing, you know, what we've been picking up from the sources that I've been hearing. I'm interpreting -- you'd have to ask him what he heard, what he understood. But the reaction --

MR. ROY: But he reacted and understood the nature of the conversation?

MR. HOLMES: In a way that was, yeah, that's consistent with my understanding.

MR. ROY: Did you have other conversations about that conversation with Ambassador Taylor between August 6th and --

MR. HOLMES: So I referred back to my takeaways from that incident repeatedly. As we know, President --

MR. ROY: With Ambassador Taylor?

MR. HOLMES: With him in the room, yes.

MR. ROY: And other times between August 6th and --

MR. HOLMES: Correct. So I guess what I'm saying, sir, is I didn't always say, you know, stemming from that lunch with Gordon Sondland where he called the President and discussed all these sorts of things, we can conclude the following. I was just drawing the conclusion from that.

MR. ROY: And when did you talk -- was that -- it was last Friday, October 8th, when you talked to --

MR. HOLMES: Yes, sir.

MR. ROY: -- Ambassador Taylor about --

MR. HOLMES: Yes. November? Yeah.

MR. ROY: I mean -- what did I say? November.

MR. HOLMES: November, yes.

MR. ROY: November 8th, when you talked about your potentially coming forward --

MR. HOLMES: Yeah.

MR. ROY: -- and talking about the conversation yourself?

MR. HOLMES: Correct.

MR. ROY: And you talked to Ambassador Taylor about you potentially coming forward because of the importance of the conversation?

MR. HOLMES: No, I wouldn't characterize it that way. That week I was increasingly concerned that I had something that was important.

It was an anxiety of mine. I was wondering, you know, and what would I do with that and how would I do it. How do you -- I don't know how you approach an impeachment investigation here.

MR. ROY: But when you --

MR. HOLMES: Sir, he was going back. And I think the fact that he was leaving and he's a guy who's already been involved with the thing, like, led me to essentially say, sir, you know what, I've been thinking about this and I think I've got something that's important. And that's -- it was that what --

MR. ROY: And so then you explained to him the importance -- your view of the importance of that conversation on July 26th and that you -- and what was his response again? I think you characterized it earlier. Could you characterize his response?

MR. HOLMES: Yes. So, you know, sir, as you may recall, I briefed you on this incident, and it seems to me that now that people are talking about whether these three individuals are doing what they're doing with knowledge of the President or not and the fact that there's concern about firsthand information, in this light, it seems like what -- that incident is more significant.

And he said, yeah, you know, I do recall something about that. I'm not sure if you told me or someone else told me. And, yeah, I wonder if that is significant, I may mention it. I think he may have said that, I may mention that to my lawyers.

And I left it at that. I did not say I'm going to come back or I want to come back or how do I come back. I just was -- it's my last

chance to talk to someone who knew about this process and to air that concern.

MR. ROY: You characterized the July 26th conversation as remarkable, exceptional --

MR. HOLMES: Yes.

MR. ROY: -- so distinctive, constantly thinking it was relevant, right? Is that a fair characterization?

MR. HOLMES: Yes, sir.

MR. ROY: You've said that?

MR. HOLMES: Not constantly thinking it was relevant. As this process was playing out, I'm a guy in Ukraine, it's highly relevant, and I'm reading the headlines and wondering if I have something that matters. And in the back of my mind was that was a distinctive event. I wonder if it will turn out that that was important.

MR. ROY: And one last question on that is -- well, I'll go ahead.

Steve.

MR. CASTOR: Our time is up, so --

THE CHAIRMAN: Okay. We're going to go to 45-minute rounds now. Would you like to take another break or go straight into it?

MR. HOLMES: If I could, it will be a very quick break.

THE CHAIRMAN: Yeah. Let's take a quick break.

MR. HOLMES: Thank you.

[Recess.]

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

Mr. Noble, the floor is yours for 45 minutes.

MR. HOLMES: Mr. Chairman, could I ask just one -- I was thinking more about one question, and I just want to clarify it if I could.

THE CHAIRMAN: Certainly.

MR. HOLMES: I'll be very brief.

I believe it was Representative Zeldin, I believe, sir, I understood a question you asked about whether I discussed the 26th incident with other people in the Embassy, and I said, yeah, in general, I discussed this, you know, in staff meetings and whatnot.

I want to make sure that your question was -- or clarify if your question was, did I discuss coming back to testify with anyone else at the Embassy before I discussed it with Ambassador Taylor. I wanted to clarify I didn't. But I did have a conversation with Kristina Kvien about a week before where to her I said in a more direct way, I'm increasingly starting to wonder if this is relevant to the way the investigation is shaping up.

But I wanted to not exclude that, because that was a meeting where I said that to her. And she said, oh, I see what you mean. I guess we'll see how it develops. It wasn't any further than that, but I just wanted to be complete.

THE CHAIRMAN: Thank you.

Mr. Noble.

MR. NOBLE: Thank you, Mr. Chairman.

BY MR. NOBLE:

Q So during the last round Mr. Zeldin asked you some questions about how you were -- you knew that Rudy Giuliani wasn't just acting

as a lawyer for his private -- a personal client, the President of the United States.

In your statement, on page two, in the penultimate paragraph on that page, you write that specifically our diplomatic policy -- and this is back in March of 2019 when you became aware of this -- had been focused on supporting Ukrainian democratic reform and resistance to Russian aggression became overshadowed by a political agenda being promoted by Rudy Giuliani and a cadre of officials operating with a direct channel to the White House.

What did you mean when you wrote that Rudy Giuliani was promoting a political agenda?

A Again, we were told to do our jobs, to implement the policy, kind of, as we understood it, and to disregard all that other stuff as stuff that was relevant in Washington politics.

The themes that Mr. Giuliani was promoting and his associates were promoting were in that basket, in my view. And so that was my understanding. In my mind, those were -- those were things -- those were political things that were not related to the implementation of our policy.

Q And what were those political things being promoted by Giuliani?

A It was the things I outlined in March in these various media articles that he and his associates were pointing to or were referencing.

Q So did that include the investigation of Burisma and the

Bidens?

A Yes, sir.

Q And did it also include the investigation of the purported Ukrainian interference in the 2016 U.S. election?

A Yes, sir.

Q Okay. Do you know whether there was any factual basis for either of those allegations?

A I'm not aware of any factual basis for either one.

Q Okay. So whose political agenda was Rudy Giuliani promoting in Ukraine?

A I came to believe it was the President's political agenda.

Q Okay. And why did you come to believe that?

A Because Mr. Giuliani was promoting that investigations issue, which later I came to understand, including through these various interactions, that was -- that the President cared about.

Q Now, previously, before Ukraine, you'd been posted in Moscow as well, right?

A That's correct.

Q Were you familiar with a press conference that President Putin did in February of 2017 with Prime Minister Orban of Hungary at which President Putin voiced the allegations that it was Ukraine that had interfered in the U.S. election in 2016?

A I'll take your report that he did it at that event. I'm aware that he has said that, yes.

Q Okay. How are you aware that President Putin has advanced

the theory that it was Ukraine who interfered in our elections?

A I'm just aware that he said it. I don't recall the exact source of that. It rings a bell.

Q Okay. And why would President Putin want to advance that theory, which you said you're not aware that there's any factual basis for?

A President Putin, in my view, advances many things for which there's not a factual basis. But in this particular instance I would surmise, I would assume, that he was trying to malign Ukraine and trying to divide Ukraine from the United States, key strategic ally, partner, because President Putin, I believe his goal ultimately is to turn Ukraine back to the Russian sphere of influence.

Q Do you know why the President of the United States and his personal lawyer, Rudy Giuliani, would want to be promoting the same conspiracy theory that the President of Russia was promoting?

A I don't.

Q You reference a cadre of officials. Who were you referring to there?

A I'm sorry. Where are you --

Q Sorry, in the same paragraph. It says, cadre of officials that were promoting the political agenda along with Rudy Giuliani.

A Page two?

Q Yeah, the penultimate paragraph, last line.

A I mean, a general statement, I think, in reference to the Three Amigos, as I've called them, who ultimately, as I understood it,

came to the conclusion that getting the Ukrainians to agree to advance that investigation was important.

Q And you said that Rudy Giuliani and this cadre of officials, including the Three Amigos, had a direct channel to the White House. What were you referring to there?

A That Rudy Giuliani, as I understand it, is the President's personal lawyer. He has a direct channel in some way, according to Sondland. I witnessed him reach out to the President directly. All those three people were in at least one meeting in the Oval Office where they discussed Ukraine with the President. So that's what I had in mind.

Q Okay. Now, you've described for us today some of the Ukrainians' reactions to these events that you're testifying about. Can you just explain to us kind of how you interact with Ukrainian officials generally?

A We -- so in my role I would participate in meetings of visiting U.S. officials or senior embassy officials at various capacities, and people all the way down the chain in the embassy do the same. So all the people in the political section who work for me would come back and report out on their meetings with various counterparts, and that would be a source of information we would integrate into our analysis.

Q Okay. Based on those interactions with the Ukrainians, was it your understanding that they believe that Rudy Giuliani spoke for the President of the United States?

A I believe they were aware that he's the President's personal attorney. And I believed that they perceived him in that role to be someone who is important in -- an important conduit to the President.

Q Okay. And did you have the opportunity to review the text messages that Ambassador Volker provided during this inquiry? Have you seen those?

A I believe I read of them in Ambassador Taylor's deposition statement.

Q Okay. Well, maybe I'll ask you this. Independent of those text messages, were you aware that Andrey Yermak had asked to be introduced to Rudy Giuliani? Specifically he asked --

A I was not aware Ambassador Volker -- I was unaware that he asked to be introduced to Rudy Giuliani, no.

Q Were you aware that Ambassador Volker did, in fact, introduce Yermak to Giuliani?

A Yes.

Q Okay. When did you become aware of that?

A I believe soon after they met I heard that they had -- that he had arranged that.

Q Did you learn that from Ambassador Volker?

A I'm not recalling exactly where I learned that. I don't recall if I heard it directly from Ambassador Volker.

Q I think in the last round you testified that in some way Ambassador Volker's role kind of over time evolved or changed. Can you explain what you meant by that?

A Yeah. So let's say, prior to the March events, Ambassador Volker was a very important senior person in the State Department who was on a daily basis very focused on Ukraine and helping us to essentially advance what I understood to be our Ukraine policy.

Starting in March -- I'd say that continued until May really, until May 20th, the inaugural delegation, where then my impression was that Ambassador Volker saw Ambassador Sondland and Secretary Perry as useful for him to help achieve his priorities and his agenda, which largely was consistent with what I understood to be our policy priorities.

And this was in the context of a new administration coming in and the importance of the imprimatur of a meeting with the President.

So especially Kurt Volker, who was working on the peace process, felt that it was important for President Zelensky to have the backing of the President of the United States as he engaged with President Putin to show that, you know, we supported him and that the security assistance in particular was sound, as he was taking these risks to pursue peace.

Q Did you or anyone else that you're aware of at the Embassy have concerns about Ambassador Volker's interactions with Rudy Giuliani along with Ambassador Sondland?

A Yes.

Q Can you explain why?

A Yes. So, again, Ambassador Volker was someone we knew, largely trusted, and we thought we were pursuing the same ends. And

then, I think as Ambassador Taylor has testified, he's basically described the two channels as diverging in terms of their goals and even clashing or coming into conflict.

And it was my impression that Ambassador Volker was trying to minimize -- was trying to manage things, was trying to get the Ukrainians what he felt they needed and while navigating Washington politics essentially.

And it was at the point when he arranged the meeting or played a role in arranging the meeting for Mr. Yermak that I felt that he was leaning in perhaps too far in that, leaning into the other channel too far.

Q I mean, can you expand on that? What do you mean by leaning into the other channel? What other channel? What was Ambassador Volker doing that was raising this concern?

A Well, I think as we discussed before, you know, Rudy Giuliani did not have an official role. The Ukrainians perceived him to be important in various ways, but he did not have an official role in that way.

And so for Ambassador Volker to be connecting a Ukrainian Government official with him, and, again, with the implication that they needed to talk and hear what he had to say and potentially take it seriously, that was, in my view, sort of leaning in towards that other alternative channel.

Q So that meeting between Andrey Yermak and Rudy Giuliani occurred in Madrid in early August. Were you aware of that?

A That's my understanding.

Q Okay. Were you aware at that time that Ambassador Volker and Gordon Sondland were working with Rudy Giuliani to help draft a statement for President Zelensky to deliver about Burisma and the 2016 election interference?

A No, sir. As I testified, I didn't become aware of that until, I believe, until I read Ambassador Taylor's testimony. I was, as I said, I was surprised that it was that level of specificity in terms of what the ask was or what was being recommended.

Q Okay. And would you characterize that as further evidence of Ambassador Volker leaning into this irregular channel to push the Ukrainians to go along with this political agenda?

A Yeah, I want to be very clear, I believe Ambassador Volker had good intentions to try to achieve things he thought the Ukrainians needed, to try to achieve important things like peace. I believe that.

I believe as the situation became increasingly clear that the investigations were the thing that was required for them to get the support they needed, you know, I can't speak for Ambassador Volker, but that's, in my view when, again, advancing our understanding of our Ukraine policy veered into the Washington politics lane.

Q Okay. Ambassador Sondland described it, as you said, become, I think, more clear, he described it as becoming more insidious. Would you agree with that characterization?

A I don't know. I don't know if I'd agree with that, sir. I don't know. I'm not sure.

Q Did anyone at the Embassy ever send any emails or cables or memoranda or other documents regarding Giuliani back to the State Department?

A I don't want to make a categorical statement and say, no, I'm not aware of anything specific on Rudy Giuliani. But, again, I would also say, you know, we weren't in the habit of reporting on what Americans were doing in Ukraine. And as we became aware of these things, the senior people who would ordinarily need to be aware of those things were aware of those things. And so we would, you know, discuss them -- did you see that Rudy Giuliani gave an interview today and said this and this? And so it was known.

And to my knowledge, apart from the engagements with Mr. Giuliani or other things that have been testified to, I'm not aware of other engagements with Mr. Giuliani apart from the media interviews and whatnot.

Q Okay. On page three and the top of page four, though, you reference Ivan Bakanov --

A Yes.

Q -- coming to you to tell you that Rudy Giuliani had said he was an adviser to the Vice President.

I want to ask you about some other interactions that we understand Mr. Giuliani had with Ukrainian officials, just whether or not you're aware of these.

In November or December of 2018, were you aware of any communications he was having with former Prosecutor General Viktor

Shokin? Did you hear anything about that?

A I have since heard that he had interaction with Shokin, yes.

Q Okay. But you weren't aware at the time?

A No.

Q Okay. What about with -- a meeting with Yuriy Lutsenko in New York in January of 2019?

A Not at the time, but subsequently. I can't tell you exactly when I became aware that there was a meeting in New York with Lutsenko and possibly -- possibly others.

Q Is it fair to say that both of those Ukrainian prosecutors are generally considered to be corrupt?

A Yes.

Q What about a meeting in February of 2019 between Giuliani and Lutsenko at the Middle East summit in Warsaw, on the sidelines of that summit?

A Sorry, say again who?

Q Sure. Giuliani and Lutsenko. Were you aware of that meeting at the time?

A So I heard a rumor of that meeting, but I -- I think someone on my staff heard a rumor of that meeting from a Ukrainian. And so it was pretty distant from firsthand information.

Q Okay. What about a May 17th meeting between Giuliani and former Ukrainian diplomat Andrii Telizhenko in New York?

A Again, I was aware that Mr. Telizhenko was, how do I say, possibly trying to get involved in these issues, but I was not aware

specifically of that meeting.

Q Can you explain what you were aware -- what was Mr. Telizhenko doing, trying to get involved, as you said?

A So he's a consultant in Ukraine. Not clear to me what he consultants on. But he is one of these people who is sort of trying to get access to important people. He worked for Yuli Tymoshenko (ph), former prime minister, for a little while on some political project.

So he's someone who portrays himself as having access in -- he portrays himself to Ukrainians as having access in Washington, and I believe in Washington as being a conduit to certain Ukrainians. What he actually does, I'm not sure.

[7:43 p.m.]

BY MR. NOBLE:

Q Was Telizhenko previous posted here at the Embassy here in D.C. -- the Ukrainian Embassy in D.C.?

A It's my understanding, yes.

Q And are you familiar with his reputation for truthfulness or his character?

A We didn't meet with him at the Embassy.

Q Why not?

A I don't think we found his perspective to be always credible and useful.

Q Were you familiar with a meeting in May of 2019 between Giuliani and an Ukrainian anti-corruption prosecutor, Nazar Kholodnitsky, in Paris?

A I did hear, again, that Giuliani had been in contact with Kholodnitsky, I'm not sure I knew it was in Paris or exactly when.

Q Who is Kholodnitsky?

A Kholodnitsky is the special anti-corruption prosecutor, or the head of the special anti-corruption prosecutor's office. This is one of the independent anti-corruption institutions that the United States and others set up as part of this chain of independent institutions that would investigate, prosecute, and convict high-level Ukrainians of official corruption.

So SAPO was the prosecutor's office, NABU was the investigative bureau, and then, we, as I testified to, worked to set up

anti-corruption court to try those cases.

Q Do you know whether Kholodnitsky was involved at all in kind of promoting this political agenda relating to the investigation?

A So Kholodnitsky was caught on a listening device coaching witnesses in cases that he was overseeing.

Q As a prosecutor?

A Yes, sir. Yes, sir. Subsequently, someone planted a listening device in his aquarium in his office. And so, he was caught on tape coaching witnesses. After that, the Embassy -- I was not directly involved in this, but I'm aware of it. The Embassy decided we couldn't work with him anymore. You can't have an anti-corruption prosecutor who was caught coaching witnesses.

And through a series of engagements that I was not directly involved with, but involving then-Deputy Chief of Mission George Kent, and, I believe, Ambassador Yovanovitch, and perhaps other people in the Embassy, they had a series of meetings with him where they essentially told him, You know, this is unacceptable, we can't work with your office. You should resign. It was a private meeting.

And so subsequently, I don't think we met with him since. And then Ambassador Yovanovitch, in a speech, I don't recall when, but in the spring, a speech on anti-corruption essentially said that, you know, you can't have an anti-corruption prosecutor caught coaching witnesses, and it was taken as a call for his resignation, and there was a kind of controversy over that, whether she should have called for that or not.

When President Zelensky came into office, he basically told the head of SAPO and NABU, look I'm going to give you one more chance, you guys have to work together, I want to see results, and that's what we're waiting to see right now.

Q And I believe the speech by Ambassador Yovanovitch, that was sometime in early March?

A Sounds right.

Q Is that right? So Rudy Giuliani met with this corrupt prosecutor in Paris in late May, this was after it was known by U.S. officials that the prosecutor had been caught on tape coaching witnesses in investigations. Is that right? This was the person Rudy Giuliani was meeting with?

A Kholodnitsky?

Q Kholodnitsky.

A Yeah, I'll take your word that it happened in Paris on that date.

Q Right. Okay.

A Yes.

Q Are you familiar with associates of Rudy Giuliani, Igor Fruman and Lev Parnes?

A I've learned about them recently.

Q Okay. So you've read press reports about them?

A Yes. Correct.

Q But did you know at the time, like, back in the spring of 2019, or whether or not they had any role in helping Giuliani make

connections in Ukraine?

A Around that time, I encountered their names once or twice, and I didn't have any basis on which to know who they were or what they were doing. And so, it wasn't until that period that I started identifying them more specifically with some of these activities. I say that because it's possible that they have surfaced previously in other meetings, I just didn't know their significance. It's possible. And, again, American citizens we don't, you know --

Q Normally --

A -- track the activities of American citizens or report on American citizens.

Q Okay. Just going back quickly to the January meeting between Giuliani and Lutsenko. I think you said something that there were possibly others at that meeting?

A Say it again, which meeting was that?

Q January, between Giuliani and Lutsenko in New York, that maybe others had participated. Did you say that?

A Yeah. Again, rumors, that I've heard that there were some interpreter there, perhaps others, but I don't have specific information.

Q Okay. I want to ask you some questions about Ambassador Yovanovitch's recall.

A Uh-huh.

Q How long did you work under Ambassador Yovanovitch, first of all?

A So from my arrival in August 2017 until her departure.

Q What is your opinion of her performance as the Ambassador to Ukraine?

A She's one of the hardest working people I've ever met. I thought she was incredibly professional, dedicated, determined.

Q And what about her reputation for promoting anti-corruption efforts in Ukraine?

A As good as anyone known for that.

Q Is it fair to say that fighting corruption under Ambassador Yovanovitch was among the Embassy's top priorities in Ukraine?

A It was among them, yes.

Q She was a huge advocate for anti-corruption efforts?

A Correct.

Q Now, were you aware at the time of the circumstances that led to her sudden recall on April 24th?

A In what aspect?

Q The events that led up to her being recalled?

A Yes. Yes. Yes, absolutely.

Q And those were the media reports that you were seeing at the time?

A Yes. As I testified, in early March, things changed considerably.

Q Yeah.

A And we were all wondering what that meant, and yeah, we followed it closely.

Q And that's been described as essentially a smear campaign that were based on certain allegations about Ambassador Yovanovitch. Do you have any reason to believe that any of the allegations that were being made about her in the spring of 2019 were true?

A The specific allegations that I noted in my testimony, I have no reason to believe they are true.

Q Did you ever hear her badmouth President Trump?

A Never.

Q Can you describe for us -- so Ambassador Yovanovitch is told to fly back on April 24th, how did you and other people at the Embassy kind of react to this sudden recall?

A So when she went back on consultations, after this media storm, I think we thought that that possibly meant that she was going to get recalled, which would have been extraordinary. But in light of how extraordinary what we were seeing was, it was plausible. There was also, and I don't recall the timeframe, but there was a period in which she was hoping that Secretary Pompeo would make a statement explicitly backing her, and that statement wasn't made. And then when she was called back for consultations, that's -- without that statement having been made, that's when a lot of us were concerned that that -- reading the writing on the wall.

Q You said just now that you believed at the time that it had been extraordinary for her to actually be removed, which is what ended up happening. And you wrote in your statement that it was unlike anything I have seen in my professional career.

A Yeah. So the media, the intensity and consistency of the media attacks on her personally by name as a U.S. Ambassador and the scope of the allegations that were leveled against her, the intensity of that, I've never seen anything like that. And then, to have an Ambassador recalled because of this media campaign, I had never seen anything like that.

And I will say, however, that, of course, it's the prerogative of the President to recall an ambassador and to ensure he has ambassadors who represent him and he trusts them. That's why we were wondering what was happening because a President can just recall ambassadors. They can say, I want a different direction, I want a different personally, a voice, profile, or whatever, you don't need this media storm, right? Which is why this was so, I don't know, confusing to us.

Q Okay. How did the Ukrainians react to Ambassador Yovanovitch's removal?

A Yeah. So there was a lot of expressions of concern and solidarity with her while she was -- while this was happening. I guess I would say that a lot of Ukrainians were essentially seeing it for what it turned out to be, and they were expressing their disappointment and their solidarity with her for that happening to her, and then when she was recalled.

I caught snippets of her testimony this morning, and I agree with a point that she made that, you know, to have that media campaign, or whatever it was, succeed in achieving her recall, and possibly

involving figures like Lutsenko, who were basically, you know, disliked and very deeply unpopular because of the perception that he was so corrupt, so to have him succeed in that was a blow to our anti-corruption effort.

Q Do you think it confirmed for the Ukrainians the power and the connections that Rudy Giuliani had to the President and his ability to kind of wield the powers of the United States to achieve something, which you said is extraordinary?

A I think that's plausible.

Q You think the Ukrainians saw -- would have seen it that way?

A I think it's plausible some saw it that way.

Q Now, Yovanovitch was recalled right after President Zelensky was elected and before he was inaugurated. How did her recall, and kind the vacuum that it created, affect the ability of the Embassy to carry out the three primary missions that you described in your statement?

A Yeah. The Presidential election is a pretty big thing for an embassy. Two rounds and then a parliamentary election, an inauguration in the middle, these are big, big events. I think we sent -- the Embassy sent something like 20 observation teams across the country to observe the actual polling day. Our security office and locaters had a screen where they were located every moment and could zoom in on cameras if they got in trouble. I mean, it's a big operation.

And so to not have an ambassador in that period, and you have -- thank goodness we have such a strong deep bench to back that

up. But it has an effect, it has a negative effect in our ability to do our jobs.

Q And just going back to Lutsenko for a second. In your statement, you describe essentially an ax that he had to grind against Ambassador Yovanovitch?

A Yes.

Q Can you explain what happened that was kind of driving him to --

A Yeah.

Q -- want to get Ambassador Yovanovitch out of there?

A Yeah. So Lutsenko was a big disappointment. He was, at one point, a dissident and opponent of the prior regime, in prison for a while. And people thought he had a lot of potential to come out of that and do important things for kind of the western Ukraine that we were supporting. It turned out he was sort of just a politician. He was an ally of Poroshenko, and he was promoting his own interests. So even his appointment as a prosecutor general raised a lot of eyebrows, because he didn't have a law degree, Poroshenko had to actually change the law to enable him to appoint him.

So the context here is Shokin, Poroshenko, against his will, had to fire Shokin, who was widely regarded as corrupt, partly to get the IMF assistance that was used as leverage to get him out. And Poroshenko then appointed Lutsenko, a very close associate, and engineered the legal pretext of appointing him. And he promised early on to pursue the reforms that Shokin was supposed to pursue and whatnot, and he just

didn't, he just never did. He never reformed the office like he was supposed to and a variety of things.

Again, I'm not an expert on all these things. A lot of these things happened before my time, but I'm aware of this story.

So, he didn't do it. He didn't do it. And then over time, it became apparent that he was shielding allies from prosecution, possibly enriching himself.

Q This is Lutsenko?

A Lutsenko -- by some way and in the way he moved cases around and whatnot. It was a -- yeah. So Ambassador Yovanovitch was working hard on anti-corruption issues, who helped set up NABU, which Lutsenko viewed as a competitor alternative agency they didn't control, that could actually hold officials to account. All the things she was working on he saw as eroding his authority.

Ultimately, he wanted us to organize high-level visits to Washington for him to boost his stature and his political viability in Ukraine, at a time when he was deeply unpopular, and we refused to do that, because he was not a good partner, and I think it made him angry. And I think, ultimately, he realized that his low opinion poll ratings was partly -- he thought, I think, partly because we didn't provide him that platform to brand himself as a reformer.

Q During the U.S. delegation to President Zelensky's inauguration on May 20th, they were there for May 20th and May 21st. Is that right?

A I believe so.

Q And you reference this meeting earlier with Secretary Perry when he provided a list of names to the Ukrainians?

A That was on the 20th. That was on the 20th. That was the meeting with Zelensky, yeah.

Q Did you know what the list contained?

A Only what he said it contained.

Q Okay.

A In his opening remarks, in this meeting, he made a number of points, and said energy security is very important to us, and he passed a piece of paper, and he said, this is a list of trusted -- people I trust, from whom I -- from which I recommend that you draw if you want input on -- or advice on energy-sector reform. I have it in my notes. He handed over the paper.

Q Yeah. Have you turned those notes over to the State Department as well?

A Yes.

Q Was there any discussion in advance about Secretary Perry providing this list of names to the Ukrainians for people they should go to on energy issues?

A Not to my knowledge.

Q You weren't involved in any of those discussions if there were any?

A There were discussions before the meeting.

Q But that didn't come up?

A But that didn't come up.

Q During the meeting with President Zelensky and the U.S. delegation, Lieutenant Colonel Vindman was there, correct?

A Yes.

Q Do you recall him bringing up, during that meeting, advice to President Zelensky that he should avoid getting involved in U.S. domestic politics?

A He did say that.

Q What did he say? What is your recollection of what Colonel Vindman said?

A I just reviewed my notes the other day, and he said precisely that. He had a very short intervention because he was the last of them to speak. And I want to say, I believe he said something about the peace process or about, you know, we think that's important, conflict diplomacy, whatnot. And he said, I want to be very clear, it's very important that you stay out of -- despite what might be going on, and this is at a time that we were all aware of the media issues and Ambassador Yovanovitch's departure, recall. He said, I want to make -- underscore to you the importance of staying out of U.S. domestic politics.

Q Was that part of the pre-meet? Was there any discussion about providing this kind of warning to Zelensky to avoid getting drawn into U.S. domestic politics?

A I don't recall it being specifically discussed. It might have been, I mean, each of them had a couple things they wanted to raise. They weren't explicit about what all those things were, but it was clear

each of them would take a turn and raise a couple of things of importance. He may have mentioned that, but I don't recall specifically.

Q Are you aware that there was a -- after the delegation got back to the United States, a meeting in the Oval Office on May 23rd --

A Yes.

Q -- between the delegation and President Trump?

A Yes.

Q Did you get a readout of that meeting?

A Not a formal readout. I believe I heard -- I can't say from where, but I believe Kurt Volker said it had gone well, and there was some unspecified concerns. Later I heard from, in that meeting with Senator Johnson with President Zelensky, a different characterization of the meeting.

Q What was that characterization?

A I believe he said he was shocked at the negative reaction -- President Trump's negative reaction when they proposed essentially engaging President Zelensky to show support.

Q That was Senator Johnson who said he was --

A That was the characterization, yes.

Q Are you aware of any instruction that President Trump provided at that meeting to the Three Amigos?

A I'm not aware of any instructions, no.

Q Okay. Did you ever learn whether there was any discussion of Rudy Giuliani during that meeting?

A I don't think so. Sorry, I don't think I learned that. I don't --

Q Okay. Are you familiar with an NSC director by the name of Kash Patel?

A I've heard the name, but only in a press report in the last few weeks.

Q You never worked with him?

A No.

Q Interacted with him?

A No.

Q So moving forward to June 28th, and you may have referenced this in your statement. On page 5, you write, that "While Ambassador Taylor did not brief me on every detail of his communications with the Three Amigos, he did tell me that on a June 28th call with President Zelensky, Ambassador Taylor and the Three Amigos, it was made clear that some action on a Burisma-Biden investigation was a precondition for an Oval Office meeting."

And my question is, were you aware that Ambassador Volker was scheduled to meet with President Zelensky during a reform conference in Toronto in early July?

A I aware of that, yes.

Q How were you aware that?

A I mean, it was just -- we would talk about upcoming engagements that were relevant. Okay. Again, this is all in the context of trying to find opportunities for Zelensky to meet the

President, and we thought, okay, if Zelensky is going to be in Toronto, perhaps he could come back through Washington; perhaps other senior U.S. officials would be in Toronto. I don't recall who specifically we're talking about at that point. It was another one of those opportunities we saw to make that happen. And, ultimately, I recall that Kurt Volker went to that conference.

Q Okay. And I should have asked you this, but were you on that June 28th conference call with, first, U.S. Government officials, and then President Zelensky?

A I was not.

Q You were not?

A I believe Ambassador Taylor testified that he was, but I was not.

Q Did you ever get a readout from Toronto, like what happened at Toronto?

A No. Not that I'm aware of.

Q Moving forward to the July 10th meeting that you were asked about in the last round?

A I may have gotten it, I don't recall what it said.

Q Specifically?

A Yeah, the substance of that. I don't recall knowing what happened in that meeting. It's possible I got a readout and didn't take particular note of it.

Q Okay. Did you get a readout of what happened on July 10th when Andrey Yermak and Oleksandr Danylyuk went to the White House for

meetings?

A I did not -- I'm going to say no, because it was much later that I learned a lot more things happened in those meetings than I was aware at the time. It was not until I read the testimonies, the recent testimonies about some of the things -- calling the meeting short and whatnot, Sondland's reference to the investigation. I learned that from this process, not at the time.

Q Okay. So at the time you didn't have any conversations with NSC staffers about what had occurred at the July 10th meeting that you can recall?

A It's possible that I saw a readout, but not those elements.

Q Okay. And so any knowledge you have about what occurred there --

A I now understand --

Q -- were the more recent testimony and press reports?

A Yes, sir. That's correct.

Q So let's go to the hold that was placed on Ukraine security assistance. On page 5, you testified that you learned about the hold via a secure video conference on July 18th. Is that right?

A That's correct.

Q You participated in that SVTC?

A Yes, sir.

Q Prior to July 18th, did you know that a hold had been put in place or was being considered?

A No.

Q So this was the first you heard of it?

A Yes.

Q What was your reaction when you learned that this hold had been placed?

A I believe Ambassador Taylor testified that we were shocked, and I would subscribe to that.

Q Were you and Ambassador Taylor in the same room?

A Yes, with several other Embassy staff.

Q And why were you shocked?

A Security assistance is a linchpin of our relationship with Ukraine and supports them in their effort to stand up to Russian aggression, extremely symbolically important as well, probably more so than any of the other assistance we provide Ukraine, although that's important, too. But a symbolism of backing them on security issues is very important, it's one of the reasons that the javelin missiles were so important as well, the symbolic backing of them in the security sphere.

So to suddenly hear, without any prior warning, that those funds were suspended was extremely significant.

Q And would withholding that security assistance undermine what, at least had been longstanding U.S. Government policy toward Ukraine, and interfere with the goals that you laid out in your statement that you were trying to achieve?

A In my view, yes.

Q Did you ever have any conversations with

Ukrainians -- Ukrainian Government officials about the hold?

A Not beyond what I've testified to. I went back through all my notes on those issues. And there was an issue about when they actually found out about that, and I don't have much to add to that. We were aware of it, trying to figure out how to lift it. Separately, at some point, they became aware of it, I'm not sure if I can tell you exactly when those two things converged.

Q You said you, at some point, they became aware of it. Do you recall --

A I think --

Q -- when you learned that?

A I remember, at some point, they assumed -- they likewise assumed that there -- sorry. I don't recall -- I recall reading in testimony there was some explanation about when they might have come to -- aware of it and in what way. There was a Politico article, I believe, that was when it became public officially. I believe some people might have suggested they knew before that, but I don't think I had knowledge of whether they did or did not know or when they came to know it.

Q Okay. Did you ever learn the official reason why a hold had been put in place and subsequently lifted on September 11th?

A No.

Q So I want to move to July 20th. Are you familiar with a secure call that Dr. Charles Kupperman, he was then the deputy national security advisor, did with Oleksandr Danylyuk?

A That rings a bell. I'm aware the call happened, I don't know the substance, and I don't recall the --

Q That was 2 days after the SVTC where you learned about the freeze?

A Yes.

Q But you don't know what Kupperman and Danylyuk discussed?

A I don't recall having heard what they discussed.

Q Okay. So around this time, I'm talking mid-July, Ambassador Taylor has testified and there are text messages to the same effect that he had had conversations with Ukrainians where they said that President Zelensky is sensitive about Ukraine being taken seriously and not merely as an instrument in Washington domestic reelection politics?

A Uh-huh.

Q Were you hearing similar concerns from Ukrainians around that time, that this political agenda that Rudy Giuliani and others were pushing on President Trump's behalf was drawing the Ukrainians into U.S. politics?

A There's potentially two different things. I do think that -- Ambassador Taylor's characterization --

Q -- sure, Yeah. Just from your testimony.

A But Ambassador Taylor repeatedly, with these senior officials, was clear that -- was advised to stay out of U.S. politics. Alex Vindman made that point as well. In many of our engagements, we made the point that they should stay out of -- it's not going to help

in the long run to be seen to be meddling in U.S. domestic politics. That was a clear point we made on a regular basis. So I believe they were aware that that was an issue, yes.

Q Given all of the circumstances that we've been talking about, was it your impression that the Ukrainians felt pressure to proceed or announce these investigations, given the campaign that Rudy Giuliani and others were doing at the behest of the President?

A I think the Ukrainians gradually came to understand that they were being asked to do something in exchange for the meeting and the security assistance hold being lifted.

Q Okay. So I think I know the answer to this because I asked you something similar earlier. Are you aware of a conversation around July 22nd between Rudy Giuliani and Andrey Yermak setting up this meeting that happened in Madrid in early August?

A I mean, they met in Madrid, but --

Q You weren't involved in the communications leading to that meeting?

A No. No. I did hear -- well, yeah, I don't -- I was not involved.

MR. NOBLE: Okay. Thank you. My time is up.

THE CHAIRMAN: Would you like to take a short break before the next 45 minutes?

MR. HOLMES: Yes.

THE CHAIRMAN: Let's take a short break.

[Recess.]

MR. SWALWELL: [Presiding.] Okay. Forty-five back to minority.

MR. JORDAN: Mr. Holmes. So let's go back to the call.

MR. HOLMES: Uh-huh.

MR. JORDAN: The call happens at the restaurant, there are four of you there, but you're the only one that goes back to the Embassy, and back at the Embassy you talk to Ms. Kvien. Is that right?

MR. HOLMES: Kvien, yes.

MR. JORDAN: Kvien.

MR. HOLMES: K-V-I-E-N.

MR. JORDAN: K-V-I-E-N. All right. You talked to Ms. Kvien. And tell me what you told her about that conversation again? Describe it, if you would, for me?

MR. HOLMES: I told her the whole story. I said, You wouldn't believe what I just heard. At lunch, Ambassador Sondland pulled out his cell phone and called the President. And then I told her the version of events that I testified to.

MR. JORDAN: Where you have it in quotes on page 6, things that Sondland says, things the President said, that's exactly how you heard -- that's the quote?

MR. HOLMES: Yes, sir. Yes, sir.

MR. JORDAN: And did you come back, and refresh my memory, you may have said this earlier, did you come back and write these things down?

MR. HOLMES: No.

MR. JORDAN: It's from memory?

MR. HOLMES: Yeah.

MR. JORDAN: Okay.

MR. HOLMES: And I recounted this, in this level of detail, multiple times to various people, because it was so distinctive.

MR. JORDAN: So the same things you have in your testimony on page 6, you told Ms. Kvien on July 26th, an hour or so after it happens?

MR. HOLMES: Yes.

MR. JORDAN: All right. Did you talk to anyone else that day?

MR. HOLMES: Sir, I have a recollection that I told whoever I ran into -- not whoever I ran -- but people, my colleagues who might have found this useful or interesting about it in the same way. You wouldn't believe what I just heard. I was in this meeting when this happened.

MR. JORDAN: So Ms. Kvien knows?

MR. HOLMES: Yes, I don't know specifically who was there that I told, but I do recall telling other people.

MR. JORDAN: Other people. Several other people?

MR. HOLMES: Colleagues.

MR. JORDAN: Yeah, but several other people at the Embassy?

MR. HOLMES: Yes.

MR. JORDAN: Any idea how many?

MR. HOLMES: In the time I was there in the afternoon, maybe two.

MR. JORDAN: Two, three, one?

MR. HOLMES: Maybe two, sir.

MR. JORDAN: Maybe two.

MR. HOLMES: Okay. There were a lot of people away supporting these other trips, these other visits.

MR. JORDAN: Okay. And then you go on vacation?

MR. HOLMES: Yes.

MR. JORDAN: Do you tell folks, aside from family, do you tell folks on vacation? Do you call people up, and say, You're not going to believe what happened the day before I headed off to the -- wherever you went for vacation?

MR. HOLMES: No.

MR. JORDAN: You don't talk about it over the next, what is that? Week and a half? 2 weeks?

MR. HOLMES: I met with up with a number of friends of mine for a trip, and I do recall telling them that I was just part of this lunch where someone called the President, and it was, like, a really extraordinary thing, it doesn't happen very often. I didn't go into any level of detail because they don't know this stuff.

MR. JORDAN: You told friends you were sitting by an ambassador who was talking on his cell phone with the President of the United States, you told your buddies about that?

MR. HOLMES: Yeah.

MR. JORDAN: How many people did you tell?

MR. HOLMES: Sir, again, I don't recall specifically. I don't recall specifically. I was traveling with six friends.

MR. JORDAN: Six friends?

MR. HOLMES: Yeah.

MR. JORDAN: So now it's up to nine people. When you come back on the 6th, who all did you tell then?

MR. HOLMES: In the meeting with Ambassador Taylor, I told him, and the other people in that meeting would have heard it. So, as I said before, I believe it was my deputy -- sir, I don't recall who was in the room at that instance when I told them -- I guess what I'm saying is that -- I'm focused on telling Ambassador Taylor, he's the person I'm there to brief. And I don't always know who else was in the room.

But what I'm saying is that at that meeting that I used to brief Ambassador Taylor, typically there are that scope of people in the room. DCM Kvien, if she's available, my deputy, if she's available, and the three unit chiefs in the political section, if they're available. I don't recall who was there that day.

MR. JORDAN: So potentially six people in that meeting?

MR. HOLMES: Yes.

MR. JORDAN: That would be the first time they heard it, at least from you?

MR. HOLMES: Unless I ran into them earlier that day in the political section, these are my colleagues that I work right next to. If I ran into one of them there, I might have told them.

Sir, what I'm trying to express is I felt like I had an obligation to tell my supervisor. That's the specific instance where I distinctly recall briefing it out. Other than that, it was just something interesting I had to share with people, if it felt right, to run into someone and say -- if they had an interest in this sets of issues, my

colleagues, I might have told them.

MR. JORDAN: Was this a regular scheduled start-of-the-week meeting you had with Ambassador Taylor and the people who were typically there?

MR. HOLMES: So it's a weekly meeting, but we don't always have it every week, because events come up, and it sometimes shifts on the schedule to the different times, different days.

MR. JORDAN: Any idea how long the meeting was?

MR. HOLMES: Typically about an hour.

MR. JORDAN: An hour-long meeting? Was this like, you walk in, everyone -- was the 6th a Monday?

MR. HOLMES: Tuesday.

MR. JORDAN: Tuesday. The 6th is a Tuesday. You walk into this meeting -- and this is your first day back from vacation?

MR. HOLMES: Yes, sir.

MR. JORDAN: And was it like, Ambassador, I got to tell you something. I didn't get a chance before I left -- did you start the meeting off with this?

MR. HOLMES: I don't recall I did. So partly, that meeting, in particular, I would have been more in receive mode because I have been away. So I would have used it as an opportunity to hear from my team the things that had been going on and our priorities. Ordinarily, I would be the one to go into that meeting with the ambassador, and I would say, Sir, here is the five or six things that I think you need more information than you've heard in our regular interactions. So

we do a slightly deeper dive.

So that's where I would have obtained the opportunity for myself to brief on that issue, whereas other people would have briefed on other issues in their portfolio.

MR. JORDAN: How does the meeting normally work? Is the Ambassador in charge, or is this like -- I mean, we do some of these things in our staff. I'm sitting down and the staff is briefing me. Which way is the typical flow in this meeting?

MR. HOLMES: He sits down and says: What do you got for me? Then, typically, I am the person who's the head of the other people in the room and --

MR. JORDAN: You're the guy kind of leading the meeting?

MR. HOLMES: Yes.

MR. JORDAN: And you're saying that wasn't the case this time on this August 6th day? You weren't leading it?

MR. HOLMES: Well, I would have been less likely to lead, because I didn't have the latest information about all the events that happened in the past week. I had that one thing that I had heard before I left, but my deputy would have been in charge while I was away and would have been more up-to-date on the issues that she thought the ambassador hadn't heard that he needed to hear. So I would have added that issue for myself.

MR. JORDAN: Tell me how a normal meeting works. Not the August 6th meeting; a normal meeting works -- this weekly meeting.

MR. HOLMES: Yeah.

MR. JORDAN: You all walk in the ambassador's office?

MR. HOLMES: Yes, sir.

MR. JORDAN: You walk in the ambassador's office, a morning meeting?

MR. HOLMES: No, again, it can move -- I think it's usually 1:30, but it often changes to accommodate his schedule.

MR. JORDAN: And normally when it starts, you are kicking it off, and, Ambassador, here's what we got for you, and you go through and you brief?

MR. HOLMES: I would, again, I have representatives from different parts of the section who cover different issues, and I would typically say, Sir, let's start with the conflict, and I got the external unit here that covers that, and here they're going to brief you on the levels of fighting. We always start with the fighting brief because we're keeping track of the hot war in the east where Ukrainians are getting killed. We are giving the latest casualty figures and the trends and all that. We usually start with that. And then anything else in the external unit.

MR. JORDAN: But you orchestrate it. You're saying, so-and-so, can you brief the Ambassador on this, the situation you just described, so-and-so can you brief on this, and give him a full report of everything he needs to know? So you're the one kind of choreographing it and orchestrating it?

MR. HOLMES: Yes. But oftentimes, they are on the fly, sir, because things move pretty quick. So whoever is available to attend

who thinks they have something to offer, sometimes I'll say, Do you need to be in the meeting this week? And they'll say, Yeah. I say, Okay, great, I'll turn to you, and you can say what you got. So I don't always know exactly what everyone is going to brief on, but I trust my people to brief on what they think.

MR. JORDAN: Got it. Got it. But you're the guy in charge? You're delegating --

MR. HOLMES: Yes, sir. Yes, sir.

MR. JORDAN: You're the MC, so to speak?

MR. HOLMES: Sure.

MR. JORDAN: But on August 6th you weren't? You weren't the MC, or were you?

MR. HOLMES: Well, sir, it's still my section and I'm still responsible, but I would not have had the latest information about what happened in the past week, or know what the ambassador had or had not heard in that week while I was away, my deputy would have heard that. So I might have been more likely to say in that meeting, you know, why don't you lead this one, because I don't know what's been happening. But I have this thing that I want to be sure you know about before I left.

MR. JORDAN: I guess what I'm getting at, you may not have had the latest information, but you sort of had a pretty big piece of information?

MR. HOLMES: I did. That's why, sir, I'm saying in that meeting I recall briefing him on that. I can't tell you if I started out and

said I want to start with my thing, or if I turned it to -- and said, what else is going on, and said I wanted to add my piece.

MR. JORDAN: So potentially, six people in that meeting, at some point in that meeting, a meeting that you typically lead and conduct, at some point you told him about the phone call on the 26th?

MR. HOLMES: Yes.

MR. JORDAN: And everyone else was still in the room when you described the call?

MR. HOLMES: Yes.

MR. JORDAN: All right. Then you say in your testimony today, I also repeatedly referred to the call over the next weeks and months and whatever?

MR. HOLMES: Yes. In conversations with my staff --

MR. SWALWELL: Actually, just for the sake of the reporter, once Mr. Jordan finishes, if you could just answer because the cross-talk is making it hard and I can see that.

MR. HOLMES: I'm sorry. Thank you for pointing that out.

MR. JORDAN: So let me just rephrase it. So you said in your testimony, after you shared this with Ambassador Taylor and the other individuals in the room, you then repeatedly referred to this call over the weeks and months to follow?

MR. HOLMES: That's correct.

MR. JORDAN: And you've continued to do that?

MR. HOLMES: Yes, but I want to be clear. I didn't always brief the whole call. Right? I would refer -- I would say, you know, as

we know, or as we learned from that incident, you know, it's going to be hard for us to convince the President to schedule this meeting. That's what we're up against.

So it was the conclusion from that that I drew -- one of the conclusions that I drew from that incident that I referred back to repeatedly.

MR. JORDAN: And do you know how many times you repeatedly brought this up with people at the Embassy? Repeatedly sounds like several.

MR. HOLMES: It was my view, and it was an important data point. And so when it was relevant, I raised it, I would estimate, and this is really hard to do, maybe once or twice a week when it was relevant. When it wasn't, I didn't.

MR. JORDAN: Once or twice a week, you would typically refer back to this call because it had a bearing on how you were thinking and --

MR. HOLMES: But, sir, I want to be very clear. I didn't always say the call, I said, as we know, or as we've learned, you know, the President doesn't care about Ukraine, and cares about these other things. So it's going to be difficult for us as we do this. And some people would say, oh, well, what if we go pursue, you know, hypothetically, this reform that the President might care about? Well, maybe, but I'm not sure that will scratch the itch because of what we learned. So it's not every case that I was briefing the call.

MR. JORDAN: Was it brought up again in the weekly meetings that you just talked about on the 6th that typically happen once a week that you orchestrate, or you kind of choreograph and conduct, did it happen

in those meetings over the next several weeks and months?

MR. HOLMES: I don't have distinct memories of other times that I referred to the call, sir, but it was part of my outlook, my point of view.

MR. JORDAN: Was it likely that it came up in the weekly meeting?

MR. HOLMES: Sir, I don't recall.

MR. JORDAN: Okay. Any idea how many different people at the Embassy you shared this account of the call between Ambassador Sondland and President Trump?

MR. HOLMES: Sir, I'm sorry to split hairs, it depends on what you mean by this account of the call. I distinctly -- what I reported already is the people who I've told there was this meeting, there was this -- sorry, there was this event; there was this call; he talked about this issue and this issue; and then we had this conversation, and I took away from it this, this, and this.

I've only briefed that level of detail on it. I'm only certain I briefed that level of detail on it to Kristina Kvien that same day. And I believe that I briefed the gist of that, more than the gist of that, to Ambassador Taylor when I got back.

I was confident that when I referred to it subsequently that it wasn't the first time -- when I referred to my conclusions from that call subsequently, I didn't need to say it was from this call on this date that I derived this conclusion. I referred to it and people would nod their heads. So I don't know if they then recalled if that was from the call, or if they were just agreeing with my assessment, I can't

interpret that.

MR. JORDAN: But you were confident when you brought it up, they understood that you were referring to the call that you described previously?

MR. HOLMES: Sir, I'm not confident that they knew I was referring to the call. I'm confident that I was raising my conclusions from the call repeatedly.

MR. JORDAN: Okay. Mr. Zeldin.

MR. ZELDIN: Mr. Holmes, on page 6, staying with the call.

MR. HOLMES: Uh-huh.

MR. ZELDIN: You say, quote: Ambassador Sondland replied that, quote, "He's gonna do it," end quote. Do you have any basis of knowledge to confirm that was from anyone in Ukraine as opposed to Sondland just stating that on his own?

MR. HOLMES: I'm just reporting what I heard him say, sir.

MR. ZELDIN: And did you hear the whole conversation between Ambassador Sondland and the President, or just part of it?

MR. HOLMES: As I've testified here, I heard both sides of the start of the call when Ambassador Sondland was pulling the phone away from his head, and at some point, he stopped doing that and I did not hear both sides of the call for the remainder of the call. But I heard everything that Sondland said for the remainder of the call, and that was roughly when the Sweden portion began.

MR. ZELDIN: How long did the call last?

MR. HOLMES: I think I said 2 minutes.

MR. ZELDIN: How noisy was it in the restaurant at the time?

MR. HOLMES: It was -- where I was sitting, it wasn't noisy. There was a street on the other side of [redacted] and [redacted], not directly, but there was a -- the remainder of the terrace, a small kind of waist high glass wall, a sidewalk, some cars parked, and then a road. So it was -- I could distinctly hear everything that I've described. I don't know if that might have impacted the other two ladies and their perceptions.

MR. ZELDIN: And just to be clear, was it just the four of you at the table?

MR. HOLMES: Yes, sir.

MR. ZELDIN: On the top of page 7, you state, quote: Ambassador Sondland replied that he meant, quote, "big stuff," end quote, that benefits the President, like the, quote, "Biden investigation," end quote, that Mr. Giuliani was pushing.

MR. HOLMES: Uh-huh.

MR. ZELDIN: I just want to understand an earlier exchange that you had with Chairman Schiff.

MR. HOLMES: Uh-huh.

MR. ZELDIN: You said that was my understanding. What were you referring to when you used those words earlier?

MR. HOLMES: I'm sorry.

MR. ZELDIN: There was a question and answer about this earlier with the chairman where you referred to the words, "that was my understanding." What were you referring to?

MR. HOLMES: I --

MR. ZELDIN: Do you recall?

MR. HOLMES: I don't remember what that referred to at what point I said that.

MR. ZELDIN: I might get back to that one.

MR. HOLMES: Okay.

MR. ZELDIN: Recently you stated: I'm not aware of any factual basis in either investigation. Do you recall testifying to that a little earlier with regards to the investigations?

MR. HOLMES: I don't recall saying that.

MR. ZELDIN: Is it your opinion that there was any factual basis on the investigation related to Burisma, Zlochevsky, and the Bidens?

MR. HOLMES: I don't -- I'm not aware that there's a factual basis for those investigations.

MR. ZELDIN: Do you know what the Burisma and Zlochevsky investigation was about?

MR. HOLMES: So the issue, as I understand it, came up before my time in Ukraine. There was no active investigation, to my knowledge, of those issues while I was there. And so the question, I guess, is what investigation are you referring to, something that happened before or something they were looking for that was new, I'm not exactly sure. So I heard allegations about this issue. I've read about them, but I don't have any specific detailed knowledge about what may or may not have been investigated and what the judgment about whether something should.

MR. ZELDIN: I'm just trying to ask a simple question.

MR. HOLMES: Okay.

MR. ZELDIN: Do you know what the Burisma-Zlochevsky investigation was about?

MR. HOLMES: Sir, I guess I'm trying to say, it's my understanding there was some kind of investigation before my time, and I'm not sure if you're referring to that one or if you're referring to --

MR. ZELDIN: I'm referring to the investigation that you have been reading about, that you just stated that you've been reading about an investigation that was from before your time. And I'm just asking if you know what that investigation was about?

MR. HOLMES: When I hear you say the investigation, I'm wondering if you mean a concrete one that already happened, or a request that the Ukrainians begin an investigation. So when I say an investigation, I'm referring to the request that they begin one.

MR. ZELDIN: So the investigation, before you get to Ukraine, that was the subject of a Viktor Shokin action, are you familiar with that investigation?

MR. HOLMES: This is why I mentioned this.

MR. ZELDIN: I just want to know whether or not you are aware of what the -- are you aware of the investigation?

MR. HOLMES: Sir, I don't know which investigation. Let me be fair --

MR. ZELDIN: Are you aware of any investigation?

MR. HOLMES: Sir, I am aware, but not in a detailed way, because

it happened before I focused on these issues, there may have been investigations about that issue in Ukraine, but I was not a part of that, and I didn't have direct knowledge of it, and I'm not an expert on those issues. And that's why when you say the investigation, were you aware of the investigation, the past tense, well, there may have been one in the past tense that I'm not aware of.

If you're referring to the phrase, the investigation, and how it was coming up at this time, I'm referring to the request, the demand, whatever you want to call it, for the Ukrainians to open a new investigation into what may have happened in that time before I arrived in Ukraine. So that's the investigation that I'm referring to.

MR. ZELDIN: I'll try to word it a little bit differently so that we're clear.

MR. HOLMES: Yeah.

MR. ZELDIN: Are you aware of this state prosecutor in Ukraine ever having an investigation into Burisma-Zlochevsky?

MR. HOLMES: Sir, I've heard that there were legal processes involving that issue, but again, I'm not an expert on those things and I was not there at the time.

MR. ZELDIN: And this past spring you testified that it became more of a topic of conversation at the Embassy, correct? The issue?

MR. HOLMES: Well, I want to differentiate between what we mean by the issue. What became a topic of conversation at the Embassy was the fact that a number of commentators in the media, including people associated with Mr. Giuliani, were pressing for the opening of an

investigation into those events that happened previously, about which there may have been prior investigations.

MR. ZELDIN: When that started to become such a topic of conversation, was there any effort by anyone in the Embassy to investigate the merits of the issue?

MR. HOLMES: So, sir, because it happened before my time, but not before everyone's time, so we have people working on the Ukraine policy issue, broadly speaking, people like George Kent, who were involved deeply in the issue and who are experts on those things. And so, in many cases, we would defer to his judgment and expertise and his personal knowledge of those issues that he was directly involved with and he was still involved, and the fact that he's in a senior position in terms of our policy. So those are the kinds of things we would have -- you know, he would have had something to say about it and we would defer to his judgment.

MR. ZELDIN: Was there anyone in the Embassy at all who wanted or did look into any of the merits of anything at all related to Burisma and Zlochevsky?

MR. HOLMES: Yeah. Sir, we weren't aware of any new reasons to open an investigation. So we were aware of the investigations previously, and we were not aware of any new reason to open an investigation. So of the universe of possible investigations of anti-corruption-related offenses and whatnot, that wasn't one we were focused on, because there was not anything new to that issue in our time there, it was from something that happened before.

MR. ZELDIN: So you just dismissed that, and that conversation -- in those conversations this past spring?

MR. HOLMES: No, sir. We defer to the judgment of people who were there at the time and their judgment that there was, you know, not anything new, no new factual basis for the Embassy to weigh in on advocating for a particular investigation over all the other possible investigations that they might undertake.

MR. ZELDIN: It just seemed surprising that there wouldn't be a desire to look into it if that is -- if it's such a big conversation around the Embassy. But a little earlier when it was after our round, before the start of the majority round, you went back to correct one of the answers that you gave to me.

MR. HOLMES: Yes, sir. Uh-huh.

MR. ZELDIN: And you mentioned that you did speak to Kristina Kvien.

MR. HOLMES: Kvien, yes.

MR. ZELDIN: Kvien. What did you speak to her about?

MR. HOLMES: Yeah. So she would sometimes just drop by my office, and we would discuss issues, she would have a question, whatever it was. And she dropped by my office once, and I said, You know, the way things are developing in terms of the media coverage of this impeachment inquiry, it's starting to make me wonder if that incident that I witnessed is becoming increasingly relevant. And she essentially, not word for word, but essentially said, Yeah, you know, I see your point. It's interesting, we'll see how that develops.

She didn't give me any particular advice or say you should go back and testify. She didn't say, yeah, you're 100 percent right. We didn't talk about -- I didn't re-brief her on the incident. I assumed that she recalled what I briefed her on previously. It was just a natural conversation about how things were developing, and I was airing my -- as I've said, airing my, you know, the fact that I was focused on it, wondering if it mattered.

MR. ZELDIN: When was that conversation?

MR. HOLMES: I believe it was the Tuesday, the week before Ambassador Taylor flew back on a Friday, I'm sorry, I don't have the dates.

MR. ZELDIN: So a week ago Tuesday?

MR. HOLMES: He came back on last Friday, so it was the Tuesday before that, perhaps.

MR. ZELDIN: And was it a conversation just between the two of you?

MR. HOLMES: Yes.

MR. ZELDIN: One other thing I wanted to ask you about is, throughout your opening, you give testimony of things that you heard that one could say would be an attempt to build a case to support an impeachment inquiry, but you leave out information. For example, you talk about the -- you reference the texts.

MR. HOLMES: Uh-huh.

MR. ZELDIN: And that exchange that Ambassador Taylor was involved in, but you don't mention that Ambassador Sondland said that

he was told by the President, no quid pro quo. Why would you leave out facts like that, that help fill in some of the empty space that you leave in your opening?

MR. HOLMES: Yes, sir, I understand. So my starting point, as I've testified, has always been, from my point of view at the Embassy in Ukraine, where there are things that I saw or was a part of that could potentially be relevant to this inquiry. And as I've testified, I took that seriously, that I might have a responsibility to report that. And so, I followed other people, the testimony of other people, who were in this similar position to me, and their testimony, and I was largely confident that the account, their accounts, were consistent with my general sense of what happened, and, in many cases, I learned things from their testimony that I wasn't aware of.

And so I thought that the story and, you know, what I had to offer was available to this investigation. So that's why I focused on Ambassador Yovanovitch who was covering essentially the first chapter, if you want to call it that, of my involvement in this, and then Ambassador Taylor, who was covering another chapter. And then I also added in essentially the middle part where neither one of them were there, and I covered that whole period.

So I wasn't necessarily looking at what Ambassador Sondland, who I have -- I covered the incidents in which I may have overlapped with Ambassador Sondland, but I was trying to give a full account from my point of view of potentially the relevant events that I was involved with.

MR. ZELDIN: Is it accurate to say that Ukraine didn't have a confirmation of a hold on aid until after that Politico story August 29th?

MR. HOLMES: I'm not sure that is accurate, sir. Let me just say, that is the first public announcement of that that I'm aware of. I'm not going -- I'm not sure that they hadn't caught wind of this in various ways earlier.

MR. ZELDIN: And you read Ambassador Taylor's opening statement from Wednesday?

MR. HOLMES: Actually, I didn't. I read the one from the prior -- from the closed door.

MR. ZELDIN: Because what you're saying is contradicting what Ambassador Taylor stated.

MR. HOLMES: Sir, I haven't read the latest statement yet.

MR. ZELDIN: Last question. In your opinion, is this impeachment inquiry helping or harming our relationship with Ukraine?

MR. HOLMES: I hope it doesn't harm our relationship with Ukraine. I'm not aware of -- I'm not aware that Ukrainians have formed a judgment as to whether this process helps or hurts our relationship.

MR. ZELDIN: I understand what you want, I'm asking if right now -- I mean, you're in Ukraine, we're not, we're here in Washington, D.C., do you believe that this impeachment inquiry is helping or hurting that relationship?

MR. HOLMES: Sure. I think some of the issues we've discussed and have come -- that have been raised in the process are issues that

they think affect the relationship. I'm not sure the process itself is helping or hurting the relationship.

MR. CASTOR: Mr. Jordan.

MR. JORDAN: Sorry, Steve.

MR. CASTOR: Absolutely.

MR. JORDAN: I want to go back. So the 26th you have the call, you overhear the call, you talk to Ms. Kvien that day.

MR. HOLMES: Yes.

MR. JORDAN: You mentioned in this first line, you talked to at least two other people that day in the Embassy, whether you meet them in the hall or whatever. Is that accurate?

MR. HOLMES: Yes.

MR. JORDAN: And you go on vacation and you said there were six friends, and you talked to those six friends about the call.

MR. HOLMES: About the fact of the call. I'm not sure I shared any of the details.

[8:53 p.m.]

MR. JORDAN: Fine. Then you had the meeting when you get back on the 6th where Ambassador Taylor is in the meeting, you're in the meeting, and potentially four other individuals.

MR. HOLMES: Yes, sir.

MR. JORDAN: All right. And then you said it repeatedly came up where you repeatedly referred to the call. And I think you told me that was at least once or twice a week. Is that all accurate?

MR. HOLMES: I hope this doesn't sound like I'm splitting hairs. I repeatedly referred to my conclusions that I drew from the call. I'm not sure if every time I said, as I learned in that call.

MR. JORDAN: But at least sometimes. Is that fair?

MR. HOLMES: I don't distinctly remember the times that I referred to the call along with my conclusions from the call.

MR. JORDAN: Okay. Then there's two of the times that you've talked about today that you talked about the call, and that was, again, a week ago Tuesday, on the 5th, with, again, Ms. Kvien, the lady you first spoke to about the call.

MR. HOLMES: Yes, sir.

MR. JORDAN: And then on Friday the 8th with Ambassador Taylor. Is that right?

MR. HOLMES: Yes, sir.

MR. JORDAN: Okay, so take me back. I want to go to the Tuesday, November 5th, conversation with Ms. Kvien.

MR. HOLMES: Okay.

MR. JORDAN: Tell me exactly what happened in that conversation.

MR. HOLMES: She dropped by my office. I don't recall if she raised other issues or not. And I was increasingly, frankly, I was getting concerned that I might have something relevant to the impeachment inquiry.

And so, because I had briefed her previously on the call and she's my direct supervisor, I said, you know, Kristina, I'm starting to wonder if what I heard might be relevant to this --

MR. JORDAN: She's your boss.

MR. HOLMES: Yes, sir.

MR. JORDAN: And you bring up this call --

MR. HOLMES: Yes.

MR. JORDAN: -- that you had first told her about.

MR. HOLMES: Yes.

MR. JORDAN: And what did she tell you to do, as your boss?

MR. HOLMES: She didn't give me any specific instructions. She said, I see your point, I guess we'll have to see how this develops.

MR. JORDAN: Did you tell her you might be testifying in front of Congress in an impeachment inquiry?

MR. HOLMES: Sir, I hadn't -- I was wondering if the information was important. I had not gotten to the point yet where I knew that it was and then started to think that I need to go testify and how I do that and how I arrange that. I hadn't gotten to that point yet.

MR. JORDAN: So she didn't give you advice one way or the other?

MR. HOLMES: No.

MR. JORDAN: Then you talked to Mr. Taylor on the 8th.

MR. HOLMES: Yes.

MR. JORDAN: Tell me about that conversation.

MR. HOLMES: I was in his office.

MR. JORDAN: Did you go there specifically to bring this up?

MR. HOLMES: No. We were having another conversation in my office -- no, we were having another meeting, not in my office, another meeting in another place -- and then -- and I had on my list things -- sorry.

We were having another meeting and I remember thinking, you know, this might be my last chance to raise this with him. It was something that was weighing on me. And I didn't get the chance or I forgot to raise it in whatever that meeting was. And so I walked with him back to his office and said --

MR. JORDAN: It might be the last chance because you knew he was coming here to testify?

MR. HOLMES: Yes, sir. And because in the days preceding, the week preceding, it had become increasingly apparent that this might be important information. And so he's the only person I knew who was actually personally involved in this process.

Look, I've never been involved in an impeachment process. I don't know how it works. I don't know how -- so if I were to come to the conclusion that I thought this was important information, I would still need to know how you even do this.

And he was already involved, and so I said, sir, I'm starting to

think it might be relevant. And he said, as I've testified, oh, I wonder, maybe you're right, I might mention that to my lawyers. And my understanding is he did, and I'm testifying.

MR. JORDAN: It was that sort of a conversation, you said, Ambassador, I'm concerned about this, I'm thinking about testifying. And he said, let me talk to my lawyers and I'll give you some advice.

MR. HOLMES: Sir, I did not say I was thinking about testifying. I said, in the context of this impeachment inquiry --

MR. JORDAN: Is it fair to say you were thinking about coming forward?

MR. HOLMES: I have never desired to come forward for the purpose of coming forward. I have wondered whether I might have something that would create an obligation for me to come forward. I increasingly came to the conclusion that I might have something that would create an obligation to come forward, and it concerned me. I hadn't yet concluded that it was something that I had an obligation to bring forward.

I mentioned to him, I think this is becoming increasingly significant. I did not ask him if I should go testify. I did not ask him his advice. And I did not say I intended to testify. And I did not say, I think I've got an obligation to testify. I just reminded him of this conversation and my increasing realization that it might be relevant.

MR. JORDAN: Okay. And his counsel was, let me talk to my lawyers and I'll get back with you.

MR. HOLMES: He said, I think I might have to mention that to my lawyers.

MR. JORDAN: He didn't say like, you know, do what you think's right, do what you think's best, let me go to talk to Ms. Kvien, and her and I, as your bosses, we'll give you some counsel, none of that?

MR. HOLMES: Sir, I didn't ask him for advice. I didn't say, do you think I should go testify? I didn't say, do you think I have an obligation to report this? I just made the point, analytical point, that it seemed to me that it was becoming increasingly relevant.

MR. JORDAN: Okay. And one last thing. So now we're all the way up to last Friday. Is there anyone else that you spoke to about the call, not counting your lawyer, of course, but anyone else you spoke to about that between Friday and today?

MR. HOLMES: No.

MR. JORDAN: The last time you talked about the call with anyone else other than your counsel was a week ago Friday when you asked Ambassador Taylor his thoughts or you let him know you were thinking about this?

MR. HOLMES: Sir, we've been talking about this a lot, so I'm trying to remember if there's anyone else I talked to specifically about the call.

I -- when I explained to people I may be going back to testify, I said, you know, there may be something I overheard that's relevant to the investigation. But at no point did I tell -- give anyone the

full account of that incident.

MR. SWALWELL: Mr. Jordan, just for the record.

When you said "we" and you pointed to your attorney, were you talking about you and your attorney?

MR. HOLMES: I was, yes. Yes, sir.

MR. JORDAN: Steve. Oh, I'm sorry, you want to go to Chip?

MR. HOLMES: Okay. Sir, Mr. Jordan, that's a fair point. My attorney reminded me that I accepted the date you postulated for when I had that conversation with Kristina Kvien.

I don't recall that it was specifically that date. I recall that it was about a week before Ambassador Taylor left. I think it could have been that day, but I'm not entirely sure. It was about a week before.

MR. JORDAN: If -- were you -- if you weren't asking for counsel or -- why did you tell Ambassador Taylor if you weren't seeking his advice or counsel or okay or -- I mean, why go tell him? And, frankly, for that matter, why tell Ms. Kvien? If it's your decision and -- why go talk to both of them?

MR. HOLMES: These are people who were aware of the call and the context and were my colleagues and we discussed things. And this is something that was weighing on me. And so I was airing my concern, my view.

MR. JORDAN: I mean, but you didn't -- you weren't asking for, what do you think I should do? Did you ask that?

MR. HOLMES: No.

MR. JORDAN: Okay.

BY MR. CASTOR:

Q The State Department, they didn't try to prevent you from testifying here today?

A No, sir.

Q So once you decided that you needed to get a lawyer and come forward, nobody gave you any issue?

A Correct.

Q I was going to say give you shade, but maybe that's not the right term.

MR. SWALWELL: That will come in the form of a tweet next week.

MR. HOLMES: It wouldn't be the first time today.

BY MR. CASTOR:

Q Are you familiar with a letter to Lutsenko from a bunch of Senators about the Mueller probe?

A It doesn't ring a bell, sir.

Q Okay. So in May of 2018, Senators Menendez, Leahy, Durbin wrote to Lutsenko, and I wondered if you were familiar with that?

A I'm not.

Q Okay. So nobody at the Embassy talked about it or it didn't become an issue for your section?

A Not that I recall, sir.

Q Okay. On page 3 of your statement, the very first paragraph, the last sentence, Mr. Lutsenko said that Ambassador Yovanovitch's posting in Kyiv, she would face "serious problems" in the United States.

A Yes, sir.

Q And the serious problems is in quotes?

A Yes.

Q Where did that come from?

A So that's quoting -- okay. A meeting between an Embassy contact and another Embassy officer who -- so in that meeting, the Embassy contact relayed that he had had, you know -- he was drinking with Lutsenko for 3 hours the night before and Lutsenko had aired these issues. And he'd relayed that Lutsenko -- these are the -- relayed what Lutsenko said.

Q Okay. And any more context to what "serious problems" meant?

A No, sir.

Q Okay. And was there any initiative to try to reverse Lutsenko's efforts here on a more Embassy-wide basis?

A So I guess what I would say, sir, is I've since become aware through Ambassador Yovanovitch's testimony, I believe, that she had an indication, I think maybe about 2 weeks earlier --

Q Right.

A -- from a more senior official in the Ukrainian Government. This is the "watch your back" quote.

Q Right.

A I was not aware of that at the time, so what I'm reporting here is the first time I was made aware of this. And I can't say whether she took that up in any way with perhaps our security personnel and

all that. But in light of the way she's described that, I wouldn't be -- and knowing her -- I wouldn't be surprised if she had taken some action when she heard that.

Q Okay. Was there ever any consideration to calling Lutsenko out, you know, from the Embassy perspective, you know, right then and there, that this is, you know, outright lies or --

A Well, on one of the allegations there certainly was. But on -- well, that wasn't a public thing that he said, the serious problems. You're referring to the broader scope.

Q Okay. The broader scope, that's right.

A Yeah, the broader scope. So, yes, so there was a statement out of the Department --

Q That was out of Washington, though, right?

A It was, yeah. But oftentimes, it's the Embassy that will basically identify that as an issue and look for Washington to back us up by releasing a statement themselves. Yeah.

Q Okay. But Lutsenko was never engaged directly by the Embassy?

A Not in the context of this set of events, as far as I know. He was -- we met him previously on other issues until a certain point when it seemed like meeting him wasn't getting us very far. All he wanted to do was to get -- raise his profile in the United States.

Q Okay. And then just a question about the reading that you've been doing about this investigation.

You've read news accounts?

A Uh-huh.

Q And --

MR. SWALWELL: Is that a yes or no?

MR. HOLMES: I'm sorry. Yes.

BY MR. CASTOR:

Q And you said you've read some of the opening statements or all of the opening statements that have been released?

A So in their entirety, I believe I've only read Ambassador Yovanovitch, Ambassador Taylor's deposition opening statements and then news reports of the proceedings. I know that the testimony has been released, hundreds and hundreds of pages. I've read news reports of those things. But I have not gone to the original sources.

Q So you haven't read complete transcripts?

A No, sir.

Q Just news accounts?

A Correct.

Q And then a couple of the opening statements?

A Correct.

MR. CASTOR: Okay. I'm done.

MR. SWALWELL: We're going to keep going if you're okay with that, just so we can get all of us out of here. I don't think we have too much more.

So one of your colleagues, Catherine Croft -- do you know who she is?

MR. HOLMES: Yes, sir.

MR. SWALWELL: As it relates to when the Ukrainians found out about the security assistance being held up, she said she was impressed with their tradecraft as far as finding things out.

Is that how you would judge the Ukrainians as far as finding out what's going on in the U.S. as it relates to them outside what you're telling them?

MR. HOLMES: Mindful this is an unclassified discussion, we're not going to discuss in detail their tradecraft. But as a general matter, I'd say some things -- sometimes I'm surprised what they know and other times I'm surprised what they don't know.

MR. SWALWELL: Mr. Zeldin earlier suggested you might be here to build a case to support an impeachment inquiry. Is that how you view your testimony today?

MR. HOLMES: No, not at all. I think it's my duty to be here, based on what I know and the significance it seemed to have acquired.

MR. SWALWELL: You didn't go to the press about what you knew?

MR. HOLMES: In my Foreign Service career, I have never gone to the press about anything.

MR. SWALWELL: And despite seeing that administration officials like Mick Mulvaney, John Bolton, Rick Perry have refused to honor the request to participate in this investigation, you have decided to fly from Ukraine here to answer our questions?

MR. HOLMES: I'm aware that there are a number of people who are closer to these events on a more regular basis than I am. I've reported out what I was involved with.

MR. SWALWELL: Are you a Never Trumper?

MR. HOLMES: No.

MR. SWALWELL: You mentioned that you heard Ambassador Sondland say to President Trump, Zelensky will do, quote, anything you ask, end quote. Did you interpret that to mean that President Trump has leverage over President Zelensky?

MR. HOLMES: I don't know if I interpret that statement to mean he has leverage over him. I think I interpret that statement to mean that President Zelensky was open to doing what he felt he needed to get what he wanted.

MR. SWALWELL: And as an experienced diplomat, certainly educated in what's going on in Ukraine, Zelensky needed what President Trump had to offer in the way of a White House meeting and security assistance. Is that right?

MR. HOLMES: Yes, sir.

MR. SWALWELL: You also mentioned that on the July 26th meeting with President Zelensky, President Zelensky referenced that there were sensitive issues that President Trump brought up three different times. Do you recall that?

MR. HOLMES: Correct.

MR. SWALWELL: And President Zelensky did not address those sensitive issues with you. Is that right?

MR. HOLMES: Correct. He said, I would need to take them up in person with the President.

MR. SWALWELL: And did you take that to mean that he had business

to do with the President of the United States, but no one in that room was going to be involved in what that business was?

MR. HOLMES: Yes. And I would also say that in preparation for my testimony, I was struck, in retrospect, at the extent to which the Ukrainians we met with on a regular basis seemed to not raise those issues with the Embassy personnel and they confined that to a different track in which Mr. Yermak was very prominent.

MR. SWALWELL: And as other witnesses in this investigation have publicly described either a two-track system with Ukraine or a regular channel and an irregular channel, as Ambassador Taylor described, is that what you perceived by President Zelensky's statement?

MR. HOLMES: Yes.

MR. SWALWELL: And discussing those, quote, sensitive issues with President Trump, quote, in person, would that be in the regular channel or the irregular channel?

MR. HOLMES: I guess I would say President Zelensky would be where those channels would come together, and Mr. Yermak would have been one of his most close -- closest, trusted emissaries.

MR. SWALWELL: And he is -- and Mr. Yermak had a one-on-one meeting immediately following that meeting with Mr. Sondland. Is that right?

MR. HOLMES: Correct.

MR. SWALWELL: You said that multiple times President Zelensky was told by you and others to, quote, stay out of U.S. politics. Is that right?

MR. HOLMES: Correct.

MR. SWALWELL: Now, the President's lawyer, Rudy Giuliani, said in May of this year that he was going to Ukraine or he sought to go to Ukraine not to meddle in an election but to meddle in an investigation. Do you remember that quote?

MR. HOLMES: I do recall that quote, yes.

MR. SWALWELL: And that is the opposite of staying out of U.S. politics. Would you agree?

MR. HOLMES: Is that Giuliani coming to Ukraine --

MR. SWALWELL: Yeah --

MR. HOLMES: -- to involve himself in -- to promote Ukraine's investigation? So --

MR. SWALWELL: And let me, I guess, let me back up. If Mr. Giuliani is successful as President Trump's lawyer to meddle in investigations with Ukrainians, that would be the opposite of staying out of U.S. elections. Would you agree with that?

MR. HOLMES: I guess I would say that Giuliani was sort of meddling in Ukrainian affairs by asking them to open an investigation that would -- could be perceived as meddling in U.S. politics.

MR. SWALWELL: And that would -- and you're telling them to stay out of U.S. politics, correct?

MR. HOLMES: Correct.

MR. SWALWELL: And what Mr. Giuliani was saying was contra to what you were advising them?

MR. HOLMES: We regarded the Ukrainians -- we understood the

significance of opening a new investigation of the Bidens and/or Burisma as being motivated primarily by a domestic U.S. political concern, because we were not aware of another reason, new facts or other reasons to initiate a new investigation.

MR. SWALWELL: Now, after you heard that call between President Trump and Ambassador Sondland where President Trump invokes the investigations, did you ever again advise President Zelensky to stay out of U.S. politics?

MR. HOLMES: I distinctly recall advising Yermak to stay out of U.S. politics, and it was a consistent theme of our messaging. I'm not sure if I can recall another time when we specifically said to President Zelensky the same message.

But what I will say is he understood that message, because he would repeat -- not repeat it back to us, but he would say things like, I've got enough problems with Russia meddling in my elections, why would I want to go meddle in someone else's election? I mean, he had internalized the point.

MR. SWALWELL: So you agree that the President of the United States sets the foreign policy for the United States?

MR. HOLMES: Yes, sir.

MR. SWALWELL: You heard the President of the United States on July 26th tell the Ambassador to the European Union that his priority was investigations as it related to the Ukrainians, essentially. Is that right?

MR. HOLMES: Yes, sir.

MR. SWALWELL: And after that phone call, you're telling the President of Ukraine's emissary in Yermak something that is counter to what the President of the United States is saying. Is that right?

MR. HOLMES: Sir, we never --

MR. SWALWELL: Let me back up. Let me back up.

MR. HOLMES: Okay.

MR. SWALWELL: Did you tell him that -- did you tell Mr. Yermak to stay out of U.S. politics despite what the President of the United States said on July 26th because you believed it was wrong and unlawful for a President to ask what he was asking of the Ukrainians, meaning do you have to -- are you obliged to follow an unlawful order?

MR. HOLMES: To our knowledge, the President never communicated that opening an investigation was a policy priority that should be pursued by any element of the United States Government.

MR. SWALWELL: You didn't learn that until September 25?

MR. HOLMES: That's correct. To my knowledge, he did not, through the interagency process or in some formal way, issue instructions for agencies of the United States Government and embassies overseas to go deliver a message to that government to open an investigation. That would have been what I would regard as the normal process.

The fact that he raised it in a phone call made us wonder, you know, are we supposed to be promoting that, because we've never heard that. We never heard a rationale for that. We never heard it explained to us. We've never been tasked with it.

MR. SWALWELL: If you were asked by the President of the United States to be a part of an investigative scheme with the Ukrainians for the President's political opponent in the -- inside the United States, would you have participated in that?

MR. HOLMES: We -- so it's a hypothetical, but I can answer for myself. I would have raised concerns --

MR. SWALWELL: Why?

MR. HOLMES: -- through the chain of command for two reasons. One, because, as a general matter, you know, Ukrainians and other countries have been accused of meddling in U.S. domestic politics. That was a problem. That was -- people considered that to be a problem. And so for them to do that or to walk into that would have been a problem for Ukraine.

So that's something we would have to consider, I think. And a part of our job would be to say, are we sure we want to do this? Let's consider this. Let's look at the implications of encouraging them to do that. So that, I think -- that's the main reason.

But also, I would have just had concerns. It doesn't sound like that's something that is an appropriate thing to ask a country to do, to take actions that could be regarded as meddling in our politics. It at least would have been important to have a conversation about this and to understand the instructions better, to understand how -- that they were appropriate.

MR. SWALWELL: Are you aware of the Hatch Act?

MR. HOLMES: I am.

MR. SWALWELL: And the Hatch Act prevents you from using your official capacity to advance any Federal officeholder's political interest. Is that correct?

MR. HOLMES: In general, that's my understanding, yes. I'm not an expert on the Hatch Act.

MR. SWALWELL: Mr. Noble.

BY MR. NOBLE:

Q So I'll try to keep this brief, and we'll just do a lightning round.

First of all, when you were on vacation and you told your friends about the lunch you had with Ambassador Sondland, you didn't disclose the contents of the communication --

A No.

Q -- between President Trump and Ambassador Sondland, did you?

A No.

Q And going back to January 2019, the meeting between Rudy Giuliani and Yuriy Lutsenko, did you ever hear rumors or learn any information to suggest that President Trump may have participated via telephone on that -- during that meeting?

A I had not heard that.

Q So now, I want to go through some of the things you said in your statement, just ask you a few questions. So if you turn to page 7, when Ambassador Bolton came to Kyiv at the end of August, he expressed, you said, frustration about Mr. Giuliani's influence with the President, making clear there was nothing he could do about it.

Can you expand on that? What did Ambassador Bolton say about Rudy Giuliani's influence on the President?

A Almost exactly what I said there and not a lot more than that, except for the other things I reported related to that.

Q Was there a discussion about whether there was anything that you all in the official regular foreign policymaking channel could do

to stop what Rudy Giuliani was doing? Is that why Ambassador Bolton said that he didn't think there was anything he could do?

A I understood this to mean that Rudy Giuliani had input with the President on these issues and, for whatever reason, people like Bolton were not -- did not assess they could change that dynamic. He did give advice to us to send a first-person report.

Q That's the cable?

A Yes. As I testified, as sort of the best we could do.

Q And it sounds like Ambassador Bolton was also frustrated about Ambassador Sondland's role in Ukraine. Did he give any more specifics about what was frustrating?

A I've almost reported that specifically as here. This was a conversation while we're waiting. Between meetings in a hold room we're waiting for another meeting, and so, it was not an extensive discussion.

Q Did he mention anything about a drug deal that Sondland and Mulvaney had been cooking up?

A I'm aware he's allegedly used that phrase in another context, but not in that -- not in this particular meeting.

Q Then if you turn to page 8, when the Senators, Johnson and Murphy, came to Kyiv on September 5th, Senator Johnson, you said, explained that he was shocked by President Trump's negative reaction during the Oval Office meeting on May 23rd. Is "shocked" the word that the Senator actually used, Senator Johnson used?

A Yes.

Q Okay. And did he explain what -- why he found President Trump's reaction to what the delegation was telling him about Ukraine, why he found that shocking?

A He didn't specify, but the context of that remark was Senator Johnson communicating to President Zelensky that he had -- that the President had negative views about Ukraine, and that it would be difficult for him to change those views. He used the shocked allusion as a justification for why he felt that way.

Q And so at this point, September 5th, it was public that the U.S., or President Trump, had placed a hold on the security assistance. Was there any discussion during that meeting with the Senators about what the Ukrainians could do or had to do to get the hold lifted?

A No. Zelensky opened by asking about it, and they were trying to give reassurance that -- they hoped the President would lift it. They weren't sure why it was imposed. But they stressed that because of the bipartisan support for Ukraine in the Congress, you know, they hoped that in the long run, that this hold wouldn't affect the level of support.

Q Was there any discussion about Zelensky's consideration of going onto CNN to make the announcement? Do you know whether the Senators were aware of that?

A I don't recall that coming up in that meeting.

Q That didn't come up in that meeting?

A I don't recall.

Q So in the next paragraph, Ambassador Taylor you said, did

tell me on September 8th, quote, "Now they're insisting Zelensky commit to the investigation in an interview with CNN," end quote. Who's the "they're" that was insisting that Zelensky do that?

A I think the people he was talking to about that issue were the Three Amigos. I don't know if he was referring to one in particular, what engagement he had where he drew that -- from which he drew that conclusion, but that's the domain of people who he was communicating with about those issues.

Q And you said that you were surprised the requirement was so specific and concrete.

A Yeah.

Q Can you explain why you were surprised by that?

A At this stage, when this issue was discussed, I was -- I personally was recommending that we -- the Ukrainians were struggling with what to do with their increasing assumption that they needed to do something in the investigations.

In those conversations, we essentially say to them, you know, Why don't you say something like we're going to appoint a new prosecutor general, and he'll investigate any credible allegations, and if you have any new information please share with us and we will follow the rule of law. We would find a way to get them to give assurances they were willing to move forward with anything within the scope of the rule of law and express openness to doing that.

And so, I mean, my assumption is, again, in normal government channels, you have mechanisms to share evidence between the governments

and whatnot, and so that one can follow up on these things. So I'm not expert on how that works, but MLAT processes and things like that. So normal channels, right, and they're open to new evidence or whatnot, and they would follow that evidence to wherever it would lead.

So that was my advice. And so that when I heard this, the advice that I was giving was nowhere near -- I realized nowhere near meeting -- hitting the mark on what, at that point, the Ukrainians understood was required of them.

Q And what the Ukrainians understood was required of them is that President Zelensky was going to have to go onto CNN and announce the specific investigations that President Trump and Rudy Giuliani wanted?

A That President Zelensky personally was going to announce on CNN the specific investigations. All those things are very concrete and specific, and that level of concreteness and specificity was far more detailed than I was aware we were involved with.

Q And I believe you testified earlier that that -- the Ukrainians believed they had to do that in order to get the freeze on the security assistance lifted and to get the White House meeting?

A Yes.

Q Both of those things?

A Yes.

Q And then later on, you go on to say that, even after the security assistance, or the hold was lifted, we were still concerned that President Zelensky may have committed to give the interview at

the YES Conference. The "we" in that statement, is that you and Ambassador Taylor?

A Yes.

Q Okay. Anyone else that you had that concern with?

A Yes. So those of us in the Embassy who were aware of this set of issues and were focused on it collectively developed that concern that there may have been a Ukrainian commitment to do that that may have contributed to the lifting of the hold. We were not yet confident that we were, you know, out of the woods on the possibility of that -- of them doing that interview.

Q So you thought the hold may have been lifted because the Ukrainians had committed to having Zelensky go on CNN?

A We were worried that was possible and, as I've testified, there was some evidence to that effect.

Q Well, and then some of the evidence is that you -- it looks like you received a text message --

A Yes.

Q -- from a colleague at the U.S. Embassy to the EU. Is that right?

A So this gets a little bit confusing. My deputy, [redacted] received --

MR. SWALWELL: Can you spell that?

MR. GOLDMAN: He spelled it earlier.

MR. HOLMES: [redacted]. I can spell it better this time, though. [redacted].

So she received, I believe it was a phone call from a colleague at USEU, and she text -- [redacted] texted a summary of that phone call to me.

BY MR. NOBLE:

Q And during that phone call, it was relayed to [redacted] that, what you said here, Sondland said the Zelensky interview was supposed to be today, which would have been the 13th of September or Monday, the 16th of September?

A Correct.

Q And they plan to announce that a certain investigation that was on hold will progress.

A Yes.

Q So did that set off alarm bells for you?

A It validated our concern that we weren't out of the woods yet on the possibility of an interview.

Q And did you have an understanding of what that certain investigation that had been on hold would progress, what that meant?

A My assumption is it was the same investigation that we've been talking about for months, the Burisma and Biden investigation.

Q So that same day that you received the text message relaying the phone call, you and Ambassador Taylor met with President Zelensky. Is that right? On the last paragraph there?

A I believe so. Yes, yes.

Q Met in his private office, and you took notes?

A Yes, that is correct.

Q Did you turn those notes over to the State Department?

A Yes, except that I wasn't taking notes when we ran into Yermak on the way out. Yeah.

Q Okay. But the notes of the Zelensky meeting you turned over?

A Yes. This was not a topic of conversation at that meeting.

Q You didn't bring up the investigations with Zelensky?

A No. Yeah. The meeting opened with Ambassador Taylor sharing with them, although they already knew that the hold was lifted.

Q Okay.

A And then we said, Great, now you get the security assistance, it's important we move on. And then we moved on to the other topics on our agenda.

Q Okay. But then on the way out you guys ran into Mr. Yermak?

A Correct.

Q Ambassador Taylor again stressed the importance of staying out of U.S. politics, and said he hoped no interview was planned. And then Mr. Yermak reacted by shrugging in resignation, and he did not answer, and you say it was to indicate they had no choice.

Can you just explain a little bit that interaction with Mr. Yermak, the shrugging, and why you interpreted that as resignation?

A That may be the best I can put it into words aside from demonstrating what it looked like. But we were coming out of the meeting. Yermak was going into the President's private office. We stopped and talked to him. And, look, a lot had happened in the last day or two, the lifting of the hold and then we had this YES Conference

coming up. There's a lot going on. A meeting with the President is a big deal. So a lot was going on.

And, so, we came out and Ambassador Taylor said something to the effect of, Andrey, I hope you're still not thinking about doing this interview. You've got to stay out of American politics. It will not help you. Pretty pointed. And Yermak [nonverbal response] you know, shrugged kind of with resig -- I took him to be saying, what choice do we have?

Again, I wouldn't draw too much from that, except that we were also hearing these other data points that would suggest that just because the hold was lifted didn't mean necessarily they weren't -- they hadn't committed to doing the interview.

And can I just add, the 12th to the 14th the YES Conference with Fareed Zakaria in Kyiv happening. I mean, it just seemed too coincidental not to be a serious concern.

Q Jumping to later in that -- in September, on page 9, you referenced not having seen a readout of the September 25th meeting between President Trump and President Zelensky at the U.N. General Assembly. Did you write that because that's abnormal, or why did you note that you still haven't seen a readout?

A It is abnormal for me -- for us to receive no significant readout. Sometimes we'll just get a line or two. That's rare. Usually we'll get something more formal if not a full readout, but to receive nothing is unusual.

And I also mention it because that same day, the July 25th

transcript was released. And I worried at the time and I told my staff, like, let's remember there was a separate meeting today. Let's not assume that things that were in the July 25th transcript happened on September 25th. And I'm not sure -- I expressed concern I'm not sure people would focus on the fact that it may have been a totally different meeting on the 25th. I just don't know.

And I have never myself, to my knowledge, received a readout that completed that for me, my understanding of what happened on the 25th.

Q And by "what happened," you mean what happened when President Trump met President Zelensky at the U.N. General Assembly?

A Yes.

Q I mean, obviously, you saw there's the public version of what happened, which is -- you know, was televised live. But there was a private meeting either before or after. Is that your understanding?

A It's my understanding, yes.

Q Okay. And you don't know what happened in the private meeting?

A I don't know. I don't know.

Can I clarify? Can I clarify the last point? It's possible a readout of the private thing came out, but the waters were so muddy. There was this public portion that was on camera, and it went on far longer than I anticipated it would. I had a general sense what happened there, but I was waiting for another readout for the private portion. I don't know if the private portion happened or not. I just was never able to complete the story of what transpired on September 25th.

Q Did you ever discuss what happened with any Ukrainian officials?

A What happened in what?

Q At that meeting between Trump and Zelensky at UNGA?

A No, not to my recollection.

Q Were you surprised or concerned to learn that President Trump still had not committed to an Oval Office meeting for President Zelensky at that time?

A By that time -- this is now months after President Zelensky was elected -- I think we assumed that was the best we're going to get.

Q The UNGA meeting?

A Yes. They had a meeting. And the reason I say it that way is because far earlier in this process when the letter was sent offering the meeting but without a date specified, on May 20th, the inaugural delegation discussed when to have a meeting. And I believe one of the people -- maybe it was Kurt Volker -- recommended that they don't look to UNGA as the opportunity to have -- the General Assembly as the opportunity to have the meeting, because it could get watered down by other bilats between the President and other world leaders. And so, ideally, it would be the Oval Office meeting, which is a different kind of thing.

So much earlier, we were suggesting there was something better than a meeting at UNGA. By the time -- after going through all this and the UNGA meeting took place, I think we concluded that for at that stage, that was probably the best we could get.

Q But still today, a meeting between President Trump and President Zelensky in the Oval Office would send a strong message of support to Ukraine, despite what's happened, and a strong message to Russia that the U.S. is still supporting Ukraine. Wouldn't you agree?

A If it was a good meeting. If the message out of the meeting was full support for Ukraine, then yes, it would be extremely important.

Q Well, and earlier Mr. Zeldin asked you some questions about whether you thought the investigation that the committees are conducting was harmful to U.S.-Ukrainian relations, but isn't it true that 2 days after the committees launched the investigation on September 9th, it was on September 11th that President Trump finally lifted the hold on the security assistance and, arguably, lifting the hold on the security assistance benefited the relationship between the U.S. and Ukraine. Wouldn't you say that?

A That is true.

Q And wouldn't you agree that investigating this irregular channel of diplomacy that was pushing the President's political agenda through people like Rudy Giuliani and others, including the Three Amigos, shedding light on that and revealing this back channel that was occurring and putting pressure on the Ukrainian Government is beneficial to U.S.-Ukraine relations?

A I'm just not prepared to say whether the Ukrainian people have come to a conclusion about, on balance, what this process means to them. I just don't know.

Q Fair enough. A couple of other just quick questions, things

I noted in your statement.

You said President Poroshenko actually put out a statement of support for Ambassador Yovanovitch, I believe, on March 22nd. Is that right?

A Yes.

Q Okay. So the President of Ukraine put out a statement in support of the U.S. Ambassador, but the State Department would not put out a statement of support for the U.S. Ambassador after all these rumors started coming out?

A That's my understanding, yes.

Q And you also said that in your statement Ukrainians, based on public polling, did not believe the lies that Lutsenko was pedaling.

A Yeah.

Q Was there public polling on this in Ukraine?

A Yeah. There was a ZIK TV poll. I believe it was on March 25th. And I'm estimating here, but it was asked, who do you believe, Lutsenko or Yovanovitch? And my recollection is that something like 88 percent believed Yovanovitch, and something like 5 percent believed Lutsenko, with the balance unsure.

Q And just final questions, because I have to ask. Who was the rapper that Ambassador Sondland and President Trump were talking about during the July 26 call?

A I understand that to be A$AP Rocky --

Q And Ambassador Sondland --

A -- with a dollar sign.

Q -- further told the President that Sweden, quote, "should have released him on your word," end quote, but that, quote, "you can tell the Kardashians you tried." Do you understand why he was saying you can tell the Kardashians you tried? So what's that about?

A I didn't follow this issue closely. It's my understanding that a number of U.S. celebrities were advocating for the government to help him in his legal issues in Sweden. But I didn't follow this closely.

Q Is that an outlandish request? You don't have to answer that.

A Thank you.

MR. NOBLE: Okay. That's --

MR. CASTOR: End of the lightning round?

MR. NOBLE: Sorry.

MR. SWALWELL: Mr. Holmes, thank you for coming in.

MR. JORDAN: Hang on one second.

MR. SWALWELL: Mr. Jordan.

MR. JORDAN: Is the description Three Amigos, is that a widely used term around the Embassy in Kyiv?

MR. HOLMES: I've heard it used a lot by them and by -- by those three individuals as well as by people in the Embassy, yes.

MR. JORDAN: So people in the Embassy use that term?

MR. HOLMES: I think people in the Embassy would understand what was meant by that term, and people who interacted with them and knew that they were comfortable with the use of that term might use that

term.

MR. JORDAN: Just to be clear, is it a positive connotation around the term or is it a negative connotation with the folks in the Embassy?

MR. HOLMES: I think it was -- it's indicative of the fresh approach to some of these issues that people like Gordon Sondland brought who are -- he's kind of a theatrical guy, and so he like branded them. And we thought, oh, that's kind of interesting.

MR. JORDAN: So it's not negative?

MR. HOLMES: No. It's not negative, no.

MR. JORDAN: Okay.

MR. HOLMES: It is interesting. You don't often hear diplomats, you know, doing that, describing themselves in that way or something, but it's interesting. Yeah.

MR. JORDAN: Okay. And what did Senator Murphy say in the meeting?

MR. HOLMES: In which meeting, sir?

MR. JORDAN: The meeting you had with Senator Johnson and Senator Murphy. You relate Senator Johnson, some of the things he stated in the meeting. What did Murphy say?

MR. HOLMES: Yeah. So he was part of that general conversation about bipartisan support and hoped that, you know, whatever happened on the current security assistance hold that in the long run, that hopefully that support would make sure that there was adequate support for the Ukrainians. That was kind of the tone of the conversation. He was part of that conversation.

MR. JORDAN: Did he bring up any people, any names, anything specific you can remember about Senator Murphy's --

MR. HOLMES: I recall at the time that -- I mean, I do have my notes. I can refer back to them. I don't recall any other details. I recall that the press conference he gave immediately after the meeting was very close to what he said in the meeting. I don't know what you mean by individual people. I don't recall anything like that.

MR. JORDAN: Did he reference the Three Amigos? Did he reference any people, any Ukrainian officials?

MR. HOLMES: I'm sorry, sir. I don't recall any specific references, but it's possible that -- yeah.

MR. JORDAN: Thank you, Mr. Holmes.

MR. HOLMES: Sure.

MR. SWALWELL: Okay, we're going to adjourn.

Mr. Holmes, thank you for accommodating this request. Thank you for flying from Ukraine here. And thank you to counsel.

So we'll adjourn.

[Whereupon, at 9:41 p.m., the deposition was concluded.]