

Congress of the United States
Washington, DC 20515

October 3, 2019

Members of the Intelligence, Oversight and Reform, and Foreign Affairs Committees
Washington, D.C. 20515

Dear Colleagues:

We are writing to convey our grave concerns with the unprecedented actions of President Donald Trump and his Administration with respect to the House of Representatives' impeachment inquiry.

The President and his aides are engaging in a campaign of misinformation and misdirection in an attempt to normalize the act of soliciting foreign powers to interfere in our elections.

We have all now seen the summary of the call in which President Trump repeatedly urged the Ukrainian President to launch an investigation into former Vice President Joe Biden—immediately after the Ukrainian President mentioned critical U.S. military assistance to counter Russian aggression.

The President claims he did nothing wrong. Even more astonishing, he is now openly and publicly asking another foreign power—China—to launch its own sham investigation against the Bidens to further his own political aims.

This is not normal or acceptable. It is unethical, unpatriotic, and wrong. American Presidents should never press foreign powers to target their domestic political rivals. Engaging in these stunning abuses in broad daylight does not absolve President Trump of his wrongdoings—or his grave offenses against the Constitution.

Over the past week, new reports have revealed that other Trump Administration officials also may have been involved in the illicit effort to get Ukrainian help for the President's campaign.

For example, Secretary of State Mike Pompeo has now admitted that he was on the call when President Trump explicitly pressed the Ukrainian President to investigate the Bidens—but failed to report this to the FBI or other law enforcement authorities. You will recall, FBI Director Christopher Wray urged individuals to report efforts to seek or receive help from a foreign power that may intervene in a U.S. presidential election.

This obligation is not diminished when the instigator of that foreign intervention is the President of the United States; it is all the more crucial to the security of our elections. Instead, when asked by the media about his own knowledge or participation in the call, Secretary Pompeo dissembled.

Likewise, we are investigating reports that Vice President Mike Pence may have been made aware of the contents of the call, and his absence from the Ukrainian President's inauguration may have been related to efforts to put additional pressure on Ukraine to deliver on the President's demands.

This week, current and former State Department officials have begun cooperating with the impeachment inquiry by producing documents and scheduling interviews and depositions. Based on the first production of materials, it has become immediately apparent why Secretary Pompeo tried to block these officials from providing information.

The Committees have now obtained text messages from Ambassador Kurt Volker, the former Special Representative for Ukraine Negotiations, communicating with other officials, including William B. "Bill" Taylor, the Charge d'Affaires at the U.S. Embassy in Ukraine, Gordon Sondland, the U.S. Ambassador to the European Union, Andrey Yermak, Aide to Ukrainian President Zelensky, the President's agent Rudy Giuliani, and others.

These text messages reflect serious concerns raised by a State Department official about the detrimental effects of withholding critical military assistance from Ukraine, and the importance of setting up a meeting between President Trump and the Ukrainian President without further delay. He also directly expressed concerns that this critical military assistance and the meeting between the two presidents were being withheld in order to place additional pressure on Ukraine to deliver on the President's demand for Ukraine to launch politically motivated investigations.

Earlier today, selected portions of these texts were leaked to the press out of context. In order to help correct the public record, we are now providing an attachment with more complete excerpts from the exchanges. The additional excerpts we are providing are still only a subset of the full body of the materials, which we hope to make public after a review for personally identifiable information.

Our investigation will continue in the coming days. But we hope every Member of the House will join us in condemning in the strongest terms the President's now open defiance of our core values as American citizens to guard against foreign interference in our democratic process.

Sincerely,



Eliot L. Engel
Chairman
House Committee on Foreign Affairs



Adam B. Schiff
Chairman
House Permanent Select Committee
on Intelligence



Elijah E. Cummings

Chairman

House Committee on Oversight and Reform

ATTACHMENT

- **Connecting Rudy Giuliani with Ukraine President Zelensky's Advisor:** On July 19, Ambassador Volker texted President Trump's agent, Rudy Giuliani, to thank him for breakfast and to introduce him to Andrey Yermak, a top advisor to President Zelensky:

[7/19/19, 4:48 PM] Kurt Volker: Mr Mayor – really enjoyed breakfast this morning. As discussed, connecting you here with Andrey Yermak, who is very close to President Zelensky. I suggest we schedule a call together on Monday – maybe 10am or 11am Washington time? Kurt

- **Sondland Briefs Zelensky Ahead of Call with President Trump:** On July 19, 2019, Ambassador Volker, Ambassador Sondland, and Mr. Taylor had the following exchange about the specific goal for the upcoming telephone call between President Trump and the Ukrainian President:

[7/19/19, 4:49:42 PM] Kurt Volker: Can we three do a call tomorrow—say noon WASHINGTON?

[7/19/19, 6:50:29 PM] Gordon Sondland: Looks like Potus call tomorrow. I spike [sic] directly to Zelensky and gave him a full briefing. He's got it.

[7/19/19, 6:52:57 PM] Gordon Sondland: Sure!

[7/19/19, 7:01:22 PM] Kurt Volker: Good. Had breakfast with Rudy this morning—teeing up call w Yermak Monday. Must have helped. Most imp't is for Zelensky to say that he will help investigation—and address any specific personnel issues—if there are any

- **Concerns about Ukraine Becoming an "Instrument" in U.S. Politics:** On July 21, 2019, Ambassador Taylor flagged President Zelensky's desire for Ukraine not to be used by the Trump Administration for its own domestic political purposes:

[7/21/19, 1:45:54 AM] Bill Taylor: Gordon, one thing Kurt and I talked about yesterday was Sasha Danyliuk's point that President Zelenskyy is sensitive about Ukraine being taken seriously, not merely as an instrument in Washington domestic, reelection politics.

[7/21/19, 4:45:44 AM] Gordon Sondland: Absolutely, but we need to get the conversation started and the relationship built, irrespective of the pretext. I am worried about the alternative.

- **Giuliani Advocates for Trump-Zelensky Call:** Mr. Yermak and Mr. Giuliani agreed to speak on the morning of July 22. Later that evening, Ambassador Volker informed Ambassadors Sondland and Taylor that Giuliani was now "advocating" for a phone call between President Trump and President Zelensky:

[7/22/19 4:27:55 PM] Kurt Volker: Orchestrated a great phone call w Rudy and Yermak. They are going to get together when Rudy goes to Madrid in a couple of weeks.

[7/22/19 4:28:08 PM] Kurt Volker: In the meantime Rudy is now advocating for phone call.

[7/22/19 4:28:26 PM] Kurt Volker: I have call into Fiona's replacement and will call Bolton if needed.

[7/22/19 4:28:48 PM] Kurt Volker: But I can tell Bolton and you can tell Mick that Rudy agrees on a call if that helps.

[7/22/19 4:30:10 PM] Gordon Sondland: I talked to Tim Morrison Fiona's replacement. He is pushing but feel free as well.

- **Volker Advises Yermak Ahead of Trump-Zelensky Call:** On the morning of July 25, 2019—*ahead* of the planned call between President Trump and President Zelensky—Ambassador Volker advised Andrey Yermak:

[7/25/19, 8:36:45 AM] Kurt Volker: Good lunch - thanks. Heard from White House—assuming President Z convinces trump he will investigate / “get to the bottom of what happened” in 2016, we will nail down date for visit to Washington. Good luck! See you tomorrow- kurt

- **Yermak's Informal Readout of the Trump-Zelensky Call:** Following President Trump's July 25 call, Ambassador Volker received the following readout from Ukrainian Presidential Advisor Yermak and confirmed his intent to meet Giuliani in Madrid:

[7/25/19, 10:15:06 AM] Andrey Yermak: Phone call went well. President Trump proposed to choose any convenient dates. President Zelenskiy chose 20,21,22 September for the White House Visit. Thank you again for your help! Please remind Mr. Mayor to share the Madrid's dates

[7/25/19, 10:16:42 AM] Kurt Volker: Great —thanks and will do!

- **State Department Officials Discuss a White House Visit and Ukraine Statement:** On August 9, 2019, Ambassador Volker had the following exchange with Ambassador Sondland about arranging a White House meeting after the Ukrainian President makes a public statement:

[8/9/19, 5: 35:53 PM] Gordon Sondland: Morrison ready to get dates as soon as Yermak confirms.

[8/9/19, 5: 46:21 PM] Kurt Volker: Excellent!! How did you sway him? :)

[8/9/19, 5: 47:34 PM] Gordon Sondland: Not sure i did. I think potus really wants the deliverable

[8/9/19, 5: 48:00 PM] Kurt Volker: But does he know that?

[8/9/19, 5: 48:09 PM] Gordon Sondland: Yep

[8/9/19, 5: 48:37 PM] Gordon Sondland: Clearly lots of convos going on

[8/9/19, 5:48:38 PM] Kurt Volker: Ok—then that's good it's coming from two separate sources

[8/9/19, 5: 51:18 PM] Gordon Sondland: To avoid misunderstandings, might be helpful to ask Andrey for a draft statement (embargoed) so that we can see exactly what they propose to cover. Even though Ze does a live presser they can still summarize in a brief statement. Thoughts?

[8/9/19, 5: 51:42 PM] Kurt Volker: Agree!

- **State Department Officials Seek Giuliani's Guidance on Ukraine Statement:** On August 9, 2019, after Mr. Giuliani met with President Zelensky's aide Andrey Yermak, Ambassador Volker asked to speak with Mr. Giuliani about the Ukrainian statement:

[8/9/19, 11:27 AM] Kurt Volker: Hi Mr Mayor! Had a good chat with Yermak last night. He was pleased with your phone call. Mentioned Z making a statement. Can we all get on the phone to make sure I advise Z correctly as to what he should be saying? Want to make sure we get this done right. Thanks!

Gordon Sondland: Good idea Kurt. I am on Pacific time.

Rudy Giuliani: Yes can you call now going to Fundraiser at 12:30

- **Ukrainian Aide Seeks White House Date First:** On August 10, 2019, President Zelensky's aide, Andrey Yermak, pressed Ambassador Volker for a date for the White House visit before committing to a statement announcing an investigation explicitly referencing the 2016 election and Burisma:

[8/10/19, 4:56:15 PM] Andrey Yermak: Hi Kurt. Please let me know when you can talk. I think it's possible to make this declaration and mention all these things. Which we discussed yesterday. But it will be logic to do after we receive a confirmation of date. We inform about date of visit and about our expectations and our guarantees for future visit. Let discuss it

[8/10/19, 5:01:32 PM] Kurt Volker: Ok! It's late for you—why don't we talk in my morning, your afternoon tomorrow? Say 10am/5pm?

[8/10/19, 5:02:18 PM] Kurt Volker: I agree with your approach. Let's iron out statement and use that to get date and then PreZ can go forward with it?

[8/10/19, 5:26:17 PM] Andrey Yermak: Ok

[8/10/19, 5:38:43 PM] Kurt Volker: Great. Gordon is available to join as well

[8/10/19, 5:41:45 PM] Andrey Yermak: Excellent

[8/10/19, 5:42:10 PM] Andrey Yermak: Once we have a date, will call for a press briefing, announcing upcoming visit and outlining vision for the reboot of US-UKRAINE relationship, including among other things Burisma and election meddling in investigations

[8/10/19, 5:42:30 PM] Kurt Volker: Sounds great!

- **Discussion of Ukrainian Statement to Include References to 2016 Election and Burisma:** Following the August 9, 2019, outreach to Rudy Giuliani, Ambassador Volker and Ambassador Sondland on August 13, 2019, had following exchange regarding the proposed Ukrainian statement:

[8/13/19, 10:26:44 AM] Kurt Volker: Special attention should be paid to the problem of interference in the political processes of the United States especially with the alleged involvement of some Ukrainian politicians. I want to declare that this is unacceptable. We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, including those involving Burisma and the 2016 U.S. elections, which in turn will prevent the recurrence of this problem in the future.

[8/13/19, 10:27:20 AM] Gordon Sondland: Perfect. Lets send to Andrey after our call

- **Confirming Desire to Reference 2016 Election and Burisma:** On August 17, 2019, Ambassadors Volker and Sondland had the following exchange in which they discussed their message to Ukraine:

[8/17/19, 3:06:19 PM] Gordon Sondland: Do we still want Ze to give us an unequivocal draft with 2016 and Boresma?

[8/17/19, 4:34:21 PM] Kurt Volker: That's the clear message so far ...

[8/17/19, 4:34:39 PM] Kurt Volker: I'm hoping we can put something out there that causes him to respond with that

[8/17/19, 4:41:09 PM] Gordon Sondland: Unless you think otherwise I will return Andreys call tomorrow and suggest they send us a clean draft.

- **Ukrainian Official Shares Press Report of U.S. Withholding Military Assistance:**

On August 28, President Zelensky's aide, Andrey Yermak, texted Ambassador Volker a news story entitled, "Trump Holds Up Ukraine Military Aid Meant to Confront Russia":

[8/29/19, 2:28:19 AM] Andrey Yermak: Need to talk with you

[8/29/19, 3:06:14 AM] Andrey Yermak:

<https://www.politico.com/story/2019/08/28/trump-ukraine-military-aid-russia-1689531>

[8/29/19, 6:55:04 AM] Kurt Volker: Hi Andrey – absolutely. When is good for you?

- **President Trump Cancels Trip to Meet President Zelensky:** On August 30, Ambassador Taylor informed Ambassador Volker that President Trump had canceled his planned visit to Warsaw, Poland, where he was to meet with President Zelensky. Ambassadors Volker and Sondland discussed an alternative plan for Vice President Pence to meet with President Zelensky on September 1:

[8/30/19, 12:14:57 AM] Bill Taylor: Trip canceled

[8/30/19, 12:16:02 AM] Kurt Volker: Hope VPOTUS keeps the bilat – and tees up WH visit...

[8/30/19, 12:16:18 AM] Kurt Volker: And hope Gordon and Perry still going...

[8/30/19, 5:31:14 AM] Gordon Sondland: I am going. Pompeo is speaking to Potus today to see if he can go.

On September 1, Ambassador Taylor sought clarification of the requirements for a White House visit:

[9/1/19, 12:08:57 PM] Bill Taylor: Are we now saying that security assistance and WH meeting are conditioned on investigations?

[9/1/19, 12:42:29 PM] Gordon Sondland: Call me

- **State Department Officials on Security Assistance and the Ukraine "Interview":** On September 8, Ambassador Taylor, Ambassador Sondland, and Ambassador Volker had the following exchange:

[9/8/19, 11:20:32 AM] Gordon Sondland: Guys multiple convos with Ze, Potus. Lets talk

[9/8/19, 11:21:41 AM] Bill Taylor: Now is fine with me

[9/8/19, 11:26:13 AM] Kurt Volker: Try again—could not hear

[9/8/19, 11:40:11 AM] Bill Taylor: Gordon and I just spoke. I can brief you if you and Gordon don't connect

[9/8/19, 12:37:28 PM] Bill Taylor: The nightmare is they give the interview and don't get the security assistance. The Russians love it. (And I quit.)

- **State Department Officials on Withholding Security Assistance:** On September 9, 2019, Ambassador Taylor and Ambassador Sondland had the following exchange regarding the withholding of military assistance to Ukraine:

[9/9/19, 12:31:06 AM] Bill Taylor: The message to the Ukrainians (and Russians) we send with the decision on security assistance is key. With the hold, we have already shaken their faith in us. Thus my nightmare scenario.

[9/9/19, 12:34:44 AM] Bill Taylor: Counting on you to be right about this interview, Gordon.

[9/9/19, 12:37:16 AM] Gordon Sondland: Bill, I never said I was "right". I said we are where we are and believe we have identified the best pathway forward. Lets hope it works.

[9/9/19, 12:47:11 AM] Bill Taylor: As I said on the phone, I think it's crazy to withhold security assistance for help with a political campaign.

[9/9/19, 5:19:35 AM] Gordon Sondland: Bill, I believe you are incorrect about President Trump's intentions. The President has been crystal clear no quid pro quo's of any kind. The President is trying to evaluate whether Ukraine is truly going to adopt the transparency and reforms that President Zelensky promised during his campaign I suggest we stop the back and forth by text If you still have concerns I recommend you give Lisa Kenna or S a call to discuss them directly. Thanks.

iMessage

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Mr Mayor — really enjoyed breakfast this morning. As discussed, connecting you here with Andrey Yermak, who is very close to President Zelensky. I suggest we schedule a call together on Monday — maybe 10am or 11am Washington time? Kurt

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