



Excerpts from Joint Interview

Kurt Volker

Former United States Special Representative for Ukraine Negotiations

Conducted on October 3, 2019

**House Permanent Select Committee on Intelligence
House Committee on Oversight and Reform
House Committee on Foreign Affairs**

Q: What happened to that statement?

A: It died. I mean, no one—once we started seeing a tempo of engagement with Ukraine, we had first the sense that Rudy was not going to be convinced that it meant anything, and, therefore, convey a positive message to the President if it didn't say Burisma and 2016. I agreed with the Ukrainians they shouldn't do it, and in fact told them just drop it, wait till you have your own prosecutor general in place. Let's work on substantive issues like this, security assistance and all. Let's just do that. So we dropped it.

After learning that Rudy Giuliani intended to pursue allegations raised by Prosecutor General Lutsenko, Ambassador Volker warned Mr. Giuliani that “Lutsenko is not credible.” (Page 226-227)

- A: So I had learned through the media that he was going to go to Ukraine and he was intending to pursue these allegations that Lutsenko had made, and he was going to go investigate these things. And I reached out to him to brief him, a couple of key points. Lutsenko is not credible. Don't listen to what he is saying.
- Q: You told Rudy Giuliani that, that Lutsenko is not credible?
- A: Yes. Yes, I did.

When Vice President Joe Biden encouraged Ukraine to fire former Prosecutor General Viktor Shokin, he was “executing U.S. policy at the time and what was widely understood internationally to be the right policy.” (Page 330)

- Q: And I believe you said that—you testified earlier that there's no doubt in your mind that Vice President Biden was acting completely on the—I'm paraphrasing, but on the up and up, in terms of his recommendation to get rid of Prosecutor General Shokin. Is that right?
- A: Correct. He was executing U.S. policy at the time and what was widely understood internationally to be the right policy, right.

On May 23, 2019, Ambassador Volker, Energy Secretary Rick Perry, and Ambassador to the European Union Gordon Sondland recommended that President Trump schedule an Oval Office meeting with the newly elected President of Ukraine, but President Trump stated that Ukrainians “tried to take me down” and that they should “talk to Rudy.” (Page 279, 304)

- Q: In fact, in your conversation with the President in May, the stated reasons why he had a deeply rooted distrust or dislike of the Ukrainians was because of what he perceived to be their role in the 2016 election and/or the Paul Manafort [sic] case. Is that right?
- A: That was mentioned, but it was a long—longer statement that “they are all corrupt, they are all terrible people,” and, you know, “I don't want to spend any time with that.” That was—it was a broader statement. And he also said, “and they tried to take me down.”
- ...
- A: So, you know, we strongly encouraged him to engage with this new President because he's committed to fighting all of those things that President Trump was complaining about.
- Q: And how did the President react?
- A: He just didn't believe it. He was skeptical. And he also said, that's not what I hear. I hear, you know, he's got some terrible people around him. And he referenced that he hears from Mr. Giuliani as part of that.
- Q: Can you explain a little bit more about what the President said about Rudy Giuliani in that meeting?

A: He said that's not what I hear. I hear a whole bunch of other things. And I don't know how he phrased it with Rudy, but it was—I think he said, not as an instruction but just as a comment, talk to Rudy, you know. He knows all of these things, and they've got some bad people around him. And that was the nature of it.

On July 3, 2019, Ambassador Volker met with President Zelensky in Toronto, Canada, and explained to him that Mr. Giuliani was amplifying “a negative narrative about Ukraine” that was “counteracting” President Zelensky’s efforts. (Page 242-243)

Q: What did you mean by “Giuliani factor,” and who were you explaining the Giuliani factor to?

A: I explained it to President Zelensky and the Chief of Presidential Administration, Andriy Bohdan, [who] was standing next to him. And I explained that I thought that there is a negative narrative about Ukraine that is counteracting all the good things that he is doing, and that we are officially communicating back, and that this is being amplified by Rudy Giuliani. So this is a negative factor for Ukraine's image in the United States and our ability to advance the bilateral relationship.

The negative narrative that Mr. Giuliani was furthering about Ukraine was “a problem” that impeded U.S. officials’ “ability to build the relationship” with Ukraine. (Page 138)

Q: And, Ambassador Volker, just to be clear, in your opening statement, you referred to a problem that you had to deal with.

A: Yes. This was the problem.

Q: Rudy Giuliani was the problem?

A: The negative narrative about Ukraine which Mr. Giuliani was furthering was the problem. It was, in my view, it was impeding our ability to build the relationship the way we should be doing, in my—as I understood it.

Ukrainian officials “asked to be connected to” Mr. Giuliani as a direct conduit to President Trump. (Page 47)

Q: So why would Rudy Giuliani have any role in dealing with the Ukrainians?

A: Because the Ukrainians asked to be connected to him in order to try to get across their message of being different from the past.

Q: So the Ukrainians believed that by speaking to Rudy Giuliani they could communicate to President Trump?

A: That information flow would reach the President.

Q: Because Rudy Giuliani would convey that information to the President presumably, correct?

A: Yes.

On July 10, 2019, Ambassador Volker met with Andriy Yermak, an aide to President Zelensky, who requested to be connected to Mr. Giuliani, and Ambassador Volker set up a call on July 22. (Page 138-139)

Q: Do you know what Rudy Giuliani and Andriy Yermak discussed in advance of the call between President Trump and President Zelensky?

A: So the sequence here is Andriy met with me on the 10th of July. I reached out to Rudy to see whether—and Andriy asked me to connect him to Rudy. I reached out to Rudy to see whether he could get together so that I could ask him whether he wanted to be connected to Yermak. I wanted both parties to want to be connected to each other before doing anything. And he—we met on, I believe, the 19th of July. I then set up a phone call between the two of them on the 22nd of July. And it was just an introductory phone call so they could talk to each other and—

Q: Were you on that call?

A: I was on that call. And it was literally, you know, let me introduce, you know, Mr. Giuliani, let me introduce Mr. Yermak. I wanted to put you in touch, blah, blah, blah, blah. And they agreed to meet in person. And Mr. Giuliani suggested he was going to be in Madrid the following week, or in the May 1 to 5 timeframe, and Mr. Yermak agreed to meet him there.

Q: Was that—do you mean August? I believe you said May.

A: I am sorry. August, yeah. August.

On July 18, 2019, Ambassador Volker became aware that the Office of Management and Budget had placed an “unusual” hold on security assistance to Ukraine, but he was unable to obtain an explanation for the hold. (Page 79-80, 121)

Q: And the same with the issue of the aid, the foreign assistance. You know, in your experience, foreign assistance sometimes gets locked up. There’s issues to work through. Then it’s released. Is what happened here unusual?

A: You are correct. I agree with you in saying that assistance gets held up for a variety of reasons at various times. That is true. In this case, here you had an instance where everyone that I spoke with in the policy side of the administration—you know, Pentagon, military, civilian, State Department, National Security Council—they all thought this is really important to provide this assistance. And so, in that circumstance, for there to be a hold placed struck me as unusual. I didn’t know the reason. No reason was ever given as to why that was. It came from OMB, so I immediately thought about budgetary issues, that, for whatever reason, there’s a hold placed. There was one report about a hold placed on all assistance because of a concern about end-of-year spending not being done efficiently. And I just didn’t believe that this hold would ever be sustained because the policy community in the administration was determined to see it go forward.

Q: And it did?

A: And it did.

...

Q: And when did the suspension in aid come to your attention?
A: July 18th.
Q: So it came to your attention before the President's call with President Zelensky?
A: Yes.
Q: And you tried to find out the reason for the suspension. I think you said you—
A: Yes.
Q: —talked to the State Department, the Defense Department, and no one understood the reasons why the aid was being—
A: Nobody ever gave a reason why. And I gave—I made those contacts specifically to give reasons why we should not have a hold, that—
Q: I understand that, but—
A: Yeah.
Q: —but with something this serious and bipartisan and significant, there should be an explanation, right?
A: There should have been, but there wasn't.

On July 19, 2019, during a breakfast meeting at Trump Hotel with Mr. Giuliani and Lev Parnas, Ambassador Volker warned that allegations against Vice President Biden were “simply not credible” based on his personal knowledge. (Page 202-203, 228-231)

One of the things that I said in that breakfast that I had with Mr. Giuliani, the only time Vice President Biden was ever discussed with me, and he was repeating—he wasn't making an accusation and he wasn't seeking an investigation—but he was repeating all of the things that were in the media that we talked about earlier about, you know, firing the prosecutor general and his son being on the company and all that. And I said to Rudy in that breakfast the first time we sat down to talk that it is simply not credible to me that Joe Biden would be influenced in his duties as Vice President by money or things for his son or anything like that. I've known him a long time, he's a person of integrity, and that's not credible. On the other hand, whether Ukrainians may have sought to influence our elections or sought to buy influence, that's entirely plausible.

...
A: July 19th is when I had breakfast with Rudy, and Lev Parnas attended that breakfast.
Q: Who is Lev Parnas? What's his relationship to Giuliani?
A: I don't know what their relationship is. They appear to be friends. I assumed that Giuliani brought him along to the meeting because he's Ukrainian-American and, therefore, knows a lot about Ukraine.
Q: Do you know if Lev Parnas was doing anything to help Giuliani get introduced to Ukrainian officials?
A: I don't know.
Q: Do you know anything else about Lev Parnas? Had you had any interactions with him prior to that breakfast meeting?
A: Never met him before or since.
Q: Where did you have breakfast?
A: At the Trump Hotel.
Q: Why did you have breakfast at the Trump Hotel?

A: Because I was guessing that's where Rudy was going to be staying, so that would be the easiest thing to do.

Q: When you met with Andriy Yermak when he was in D.C., where did he stay?

A: I believe he stayed at the Trump Hotel.

...

Q: Do you know someone by the name of Igor Fruman?

A: I read that name in press reports. I don't remember. It's possible he was at the same breakfast, but I honestly don't remember.

Q: You said that maybe he—Fruman may have been at the breakfast?

A: He may have been there.

Q: How many people were at the breakfast?

A: I recall Lev Parnas, Rudy Giuliani, and myself sitting at a table. There were two other people at a separate table. And that—and one of them may have been Igor Fruman or not. I don't know.

Mr. Giuliani was “interested in Biden” and “Vice President Biden’s son,” but Ambassador Volker “pushed back” because Mr. Giuliani’s theory had been debunked. (Page 331-332)

Q: So is it your testimony that you understood that Rudy Giuliani's desire for the Ukrainian Government to investigate Burisma had to do with potential money laundering or other criminal conduct by the company itself, and not in connection to either Joe or Hunter Biden?

A: No. I believe that Giuliani was interested in Biden, Vice President Biden's son Biden [sic], and I had pushed back on that, and I was maintaining that distinction.

Q: So you were maintaining that distinction, because you understood that that whole theory had been debunked and there was no evidence to support it, right?

A: Yes.

Ambassador Volker explained a text message exchange he had with Ambassador Sondland three days before President Zelensky and President Trump had their July 25, 2019, phone call. (Page 276-277)

[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.

Q: Okay. If you could read—

- A: Two lines down. “I can tell Bolton and you can tell Mick”—that is Mulvaney, the OMB Director, that Gordon knows—“that Rudy agrees on the call if that helps.”
- Q: And then 3 days later, the call occurred, right?
- A: Yes.
- Q: And this was a phone call that you had been trying to get—
- A: Yes.
- Q: —for a couple months, right?
- A: Yes.

President Trump’s July 25, 2019, call with President Zelensky was “quite a surprise,” “extremely unfortunate,” and “explosive.” (Page 353-354)

- Q: When you first read the call record from the July 25th call, what was your reaction?
- A: I was surprised. I had not heard anything about Biden, Hunter Biden or Joe Biden in this entire time. And I had been very active, as you see. I’ve been very active in communicating with people, in trying to solve some of these problems, in trying to get the White House visits together, phone calls. And for that to have taken place and my [sic] not to know that was quite a surprise.
- Q: In addition to being surprised, were you troubled at all by what you read?
- A: Yes. This I believe was your question earlier. It creates a problem again where all of the things that we’re trying to do to advance the bilateral relationship, strengthen our support for Ukraine, strengthen the positioning against Russia is now getting sucked into a domestic political debate in the U.S., domestic political narrative that overshadows that. And I think that is extremely unfortunate for our policy with Ukraine.
- Q: And did you understand that at least some of the discussion in that call was the President asking for Ukraine to do something that would have an impact on the domestic political situation here in the U.S. as well?
- A: Well, referring—asking the President of Ukraine to work together with the Attorney General and to look into this, you can see, as it has now happened, this becomes explosive in our domestic politics.

Mr. Yermak “would have been on” the July 25, 2019, phone call between President Trump and President Zelensky and was aware of President Trump’s requests that Ukraine investigate Vice President Biden and the 2016 election. (Page 111-112)

- Q: This is the context in which you would later discuss the statement that Andriy Yermak was proposing to get a meeting with the President for his boss, Mr. Zelensky, correct?
- A: Yes. Except that I didn’t know that this was the context at the time.
- Q: No, I realize you didn’t know that, but Andriy Yermak would know that, wouldn’t he?
- A: He would have been on this phone call.

Q: Okay. So Andriy Yermak knows that the President of the United States wants Joe Biden and his son investigated and that the President thus far has not been willing to commit to a date for a meeting.

A: Yes.

Ambassador Volker explained a text message exchange in which Ambassador Sondland wrote that President Trump “really wants the deliverable.” (Page 183)

[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!

Q: I’d like to go to kind of the bottom third, picking up at August 9th, 2019, at 5:35 p.m., where Ambassador Sondland writes: Morrison ready to get dates as soon as Yermak confirms.

A: Okay.

Q: What was Ambassador Sondland saying there?

A: Morrison ready to get dates as soon as Yermak confirms. And I believe this referred to Yermak confirming that President Zelensky was going to make a statement along the lines that we had discussed in that other exchange.

Q: A statement about the investigation?

A: A statement about Ukraine’s commitment to fighting corruption and investigating things that happened in the past, and that was where we had this question that we discussed earlier about whether it would specifically mention Burisma and 2016 or not. That’s the statement in reference.

Mr. Giuliani insisted that a draft statement to be issued by Ukraine had to include explicit references to “Burisma and 2016.” (Page 71-72, 113)

A: What I wanted to do with the statement—and it was not my idea. I believe it must have come up in the conversation that Mr. Giuliani had with Mr. Yermak in Madrid on August 2nd because it was Yermak who came to me with a draft statement. And I viewed this as valuable for getting the Ukrainian Government on the record about their commitment to reform and change and fighting corruption because I believed that would be helpful in overcoming this deep skepticism that the President had about Ukraine.

Q: And the draft statement went through some iterations. Is that correct?

A: Yeah. It was pretty quick, though. I don’t know the timeline exactly. We have it. But, basically, Andriy [Yermak] sends me a text. I share it with Gordon Sondland. We have a conversation with Rudy to say: The Ukrainians are looking at this text. Rudy says: Well, if it doesn’t say Burisma and if it doesn’t say 2016, what does it mean? You know, it’s not credible. You know, they’re hiding something. And so we talked and I said: So what you’re saying is just at the end of the—same statement, just insert Burisma and 2016, you think that would be more credible? And he said: Yes.

...

Andriy Yermak sent me a draft statement that did not include that. And I discussed that statement with Gordon Sondland and with Rudy Giuliani to see—in my—not knowing this, is this going to be helpful, will this help convey a sense of commitment of Ukraine to fighting corruption, et cetera. And in that conversation it was Mr. Giuliani who said: If it doesn’t say Burisma and 2016, it’s not credible, because what are they hiding?

On August 13, 2019, Ambassador Volker sent a proposed “insert” for the draft statement for the “two key items” of “Burisma and 2016 elections.” (Page 191)

Q: What did you write to Mr. Yermak?

A: I said: Hi, Andriy, good talking. Following is text with insert at the end for the two key items. We will work on official request.

Q: What did you mean by the two key items?

A: That is Burisma and 2016 elections.

Q: And that’s what Rudy Giuliani wanted to be in the statement from—

A: That’s right.

Q: —the President of Ukraine?

A: That’s correct. And when I say we will work on official request, Andriy asked whether any request had ever been made by the U.S. to investigate election interference in 2016.

Ambassador Volker discovered that the Department of Justice had not officially asked Ukraine to launch the investigations being promoted by Mr. Giuliani. (Page 196-197, 45)

Q: Did you speak with anyone at DOJ about whether the U.S. had requested an official investigation?

A: No, I did not. I did ask—I did ask our Chargé to also check. And I later understood that we never had. And because of that was another factor in my advising the Ukrainians then don't put it in now.

Q: You told the Ukrainians don't put in the specific investigation?

A: Yes, yes.

Q: Did you speak with the Ukrainians about whether or not the U.S. had ever requested an official investigation?

A: It came up in this conversation with Andriy about the statement, and he asked whether we ever had. I didn't know the answer. That's why I wanted to go back and find out. As I found out the answer that we had not, I said, well, let's just not go there.

Q: So Mr. Yermak wanted to know whether the U.S. DOJ—

A: Yes.

Q: —had ever made an official request?

A: Yes. He said, I think quite appropriately, that if they are responding to an official request, that's one thing. If there's no official request, that's different. And I agree with that.

...

And my comment back to him was I think those are good reasons. And in addition, I just think it's important that you avoid anything that would look like it would play into our domestic politics, and this could. So just don't do it. I agree with—so I told Andrey, I agree with you, don't do it.

The draft statement “died” because the Ukrainians did not want to refer to Burisma and 2016, but “Rudy was not going to be convinced.” (Page 259-260)

Q: What happened to that statement?

A: It died. I mean, no one—once we started seeing a tempo of engagement with Ukraine, we had first the sense that Rudy was not going to be convinced that it meant anything, and, therefore, convey a positive message to the President if it didn't say Burisma and 2016. I agreed with the Ukrainians they shouldn't do it, and in fact told them just drop it, wait till you have your own prosecutor general in place. Let's work on substantive issues like this, security assistance and all. Let's just do that. So we dropped it.