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HASTINGS

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November 4, 2019

Adam B. Schiff
Chairman
Permanent Select Committee on Intelligence
United States House of Representatives
Washington, DC 20515

Re: Sworn Testimony of Ambassador Gordon Sondland

Dear Chairman Schiff:

Pursuant to Rule 8 of the 116th Congress Regulations for Use of Deposition Authority and Rule 8(e)(2)(B) of the Rules for the House Permanent Select Committee on Intelligence, please find attached the Declaration of Ambassador Gordon Sondland, which supplements his testimony of October 17, 2019. In accordance with the House and Committee rules, this letter and the attached Declaration should be included as an appendix to his sworn testimony.

Ambassador Sondland has reviewed and approved the attached Declaration and his sworn testimony. His signature on the attached Declaration shall serve, in accordance with the relevant rules, as his affirmation that he has also reviewed and approved the transcript of his testimony.

Sincerely,



Robert D. Luskin
Kwame J. Manley

PAUL HASTINGS LLP

DECLARATION OF AMBASSADOR GORDON D. SONDLAND

I, Gordon Sondland, do hereby swear and affirm as follows:

1. I have reviewed the October 22, 2019, opening statement of Ambassador William Taylor. I have also reviewed the October 31, 2019, opening statement of Tim Morrison. These two opening statements have refreshed my recollection about certain conversations in early September 2019.

2. Ambassador Taylor recalls that I told Mr. Morrison in early September 2019 that the resumption of U.S. aid to Ukraine had become tied to a public statement to be issued by Ukraine agreeing to investigate Burisma. Ambassador Taylor recalls that Mr. Morrison told Ambassador Taylor that I told Mr. Morrison that I had conveyed this message to Mr. Yermak on September 1, 2019, in connection with Vice President Pence's visit to Warsaw and a meeting with President Zelensky. Mr. Morrison recalls that I said to him in early September that resumption of U.S. aid to Ukraine might be conditioned on a public statement reopening the Burisma investigation.

3. In my October 17, 2019 prepared testimony and in my deposition, I made clear that I had understood sometime after our May 23, 2019, White House debriefing that scheduling a White House visit for President Zelensky was conditioned upon President Zelensky's agreement to make a public anti-corruption statement. This condition had been communicated by Rudy Giuliani, with whom President Trump directed Ambassador Volker, Secretary Perry, and me, on May 23, 2019, to discuss issues related to the President's concerns about Ukraine. Ambassador Volker, Secretary Perry, and I understood that satisfying Mr. Giuliani was a condition for scheduling the White House visit, which we all strongly believed to be in the mutual interest of the United States and Ukraine.

4. With respect to the September 1, 2019, Warsaw meeting, the conversations described in Ambassador Taylor's and Mr. Morrison's opening statements have refreshed my recollection about conversations involving the suspension of U.S. aid, which had become public only days earlier. I always believed that suspending aid to Ukraine was ill-advised, although I did not know (and still do not know) when, why, or by whom the aid was suspended. However, by the beginning of September 2019, and in the absence of any credible explanation for the suspension of aid, I presumed that the aid suspension had become linked to the proposed anti-corruption statement. As I said in my prepared testimony, security aid to Ukraine was in our vital national interest and should not have been delayed for any reason. And it would have been natural for me to have voiced what I had presumed to Ambassador Taylor, Senator Johnson, the Ukrainians, and Mr. Morrison.

5. Also, I now do recall a conversation on September 1, 2019, in Warsaw with Mr. Yermak. This brief pull-aside conversation followed the larger meeting involving Vice President Pence and President Zelensky, in which President Zelensky had raised the issue of the suspension of U.S. aid to Ukraine directly with Vice President Pence. After that large meeting, I now recall speaking individually with Mr. Yermak, where I said that resumption of U.S. aid would likely not occur until Ukraine provided the public anti-corruption statement that we had been discussing for many weeks. I also recall some question as to whether the public statement could come from the newly appointed Ukrainian Prosecutor General, rather than from President Zelensky directly.


6. Soon thereafter, I came to understand that, in fact, the public statement would need to come directly from President Zelensky himself. I do not specifically recall how I learned this, but I believe that the information may have come either from Mr. Giuliani or from

Ambassador Volker, who may have discussed this with Mr. Giuliani. In a later conversation with Ambassador Taylor, I told him that I had been mistaken about whether a public statement could come from the Prosecutor General; I had come to understand that the public statement would have to come from President Zelensky himself.

7. Finally, as of this writing, I cannot specifically recall if I had one or two phone calls with President Trump in the September 6-9 time frame. Despite repeated requests to the White House and the State Department, I have not been granted access to all of the phone records, and I would like to review those phone records, along with any notes and other documents that may exist, to determine if I can provide more complete testimony to assist Congress. However, although I have no specific recollection of phone calls during this period with Ambassador Taylor or Mr. Morrison, I have no reason to question the substance of their recollection about my September 1 conversation with Mr. Yermak.

I declare under penalty of perjury that the aforementioned is true.

Executed on November 4, 2019.



The Honorable Gordon D. Sondland
United States Ambassador to the European Union