

November 18, 2019

The American public heard the first live testimony last week as the House Intelligence Committee's public impeachment hearings kicked off. On Wednesday, the committee heard testimony from acting Ambassador to Ukraine Bill Taylor and Deputy Assistant Secretary of State George Kent. On Friday, former Ambassador to Ukraine Marie Yovanovitch testified before the committee.

The week started with House Intel Committee Chair Adam Schiff sending a memo to committee members setting forth the hearing objectives and procedures. In an unexpected concession to Republicans, the procedures allow for minority members to call witnesses to testify during open hearings, provided that the witnesses fall within the scope of the impeachment investigation. Schiff made it clear that he would not facilitate any efforts to expose the whistleblower, which Republicans have been clamoring for. Republicans have since unveiled a list of individuals they wish to hear testimony from: (1) Hunter Biden, son of former Vice President Joe Biden; (2) Devon Archer, a member of Burisma's board; (3) Kurt Volker, former US special envoy to Ukraine; (4) Tim Morrison, former top US presidential advisor on Russia and Europe; (5) David Hale, Under Secretary of State for Political Affairs; and (6) the whistleblower. At this point, only Volker, Morrison and Hale have been scheduled to testify publicly.

Also at the week's start, Intel Committee Ranking Member Devin Nunes sent a memo to Republican House members setting forth the following defenses against the impeachment inquiry: (1) the July 25 call summary—the best evidence of the conversation—shows no conditionality or evidence of pressure; (2) Presidents Zelensky and Trump have both said there was no pressure on the call; (3) the Ukrainian government was not aware of a hold on US security assistance at the time of the July 25 call; and (4) US security assistance flowed to Ukraine and President Trump met with President Zelensky—both of which occurred without Ukraine investigating President Trump's political rivals. Nunes also expanded on the newest Republican defense of President Trump's call—that the President's motives to investigate were rooted in his skepticism of Ukrainian corruption, not of the Bidens.

Then, on Wednesday, Taylor and Kent took center stage for what was largely a partisan and contentious hearing. Given the fact that their testimony behind closed doors had already been made public, it was expected that there would be no new revelations. However Taylor provided a new twist by recounting an incident which had not previously been made public about one of his staffers sitting at a restaurant with Ambassador to the EU Gordon Sondland. During the meeting, Sondland called President Trump, who asked about the status of the Biden family investigations. The revelation prompted Democrats in the hearing room to suggest this was more evidence that President Trump cared more about the investigations into the Bidens than stopping corruption in Ukraine.

Questioning from the Democratic members and counsel sought to reveal evidence that President Trump pressured Ukraine to open investigations into the Bidens by withholding a White House visit and much needed military aid. On the Republican side, members and counsel attempted to discredit second-hand information and underscore the possibility that Trump was trying to investigate political corruption in Ukraine. The hearing lasted for almost six hours and was portrayed as a victory by both parties.

On Friday, Yovanovitch, a senior career diplomat who had worked for both Republican and Democratic Presidents, testified that she had been warned by Ukrainian officials to “watch her back,” as Rudy Giuliani’s associates Lev Parnas and Igor Fruman wanted a different ambassador. Her testimony provided the background context for her ultimate ousting as ambassador. Her hearing was somewhat disjointed, as it was interrupted by the need for members to take an hour break after the Democrat counsel’s questioning for House floor votes. During Yovanovitch’s testimony, President Trump sent out a string of critical tweets about the former ambassador, drawing strong criticism from Democrats on the committee that the President was engaging in real-time witness intimidation. Even some Republican members of the House, including Rep. Liz Cheney, the third-ranking House Republican, said the President was wrong to criticize Ambassador Yovanovitch while she was testifying. On Friday House investigators conducted a closed-door initial interview with the aide to Ambassador Taylor who was identified on Wednesday as having overheard the cell phone conversation where President Trump inquired of Ambassador Sondland about progress in getting the Ukrainian government to investigate the Bidens.

On Saturday, House investigators conducted a closed-door deposition of Mark Sandy, a senior career official at the Office of Management and Budget. Sandy was the first official from OMB to testify, as acting OMB Director Russell Vought and former OMB Director and now current White House Chief of Staff Mick Mulvaney have both defied subpoena orders to testify.

The following people will be testifying this week:

On Tuesday, Jennifer Williams, Aide to Vice President Mike Pence; Lt. Col. Alexander Vindman, Director for European Affairs at the National Security Council; Kurt Volker, former U.S. Special envoy to Ukraine; and Timothy Morrison, former White House aide with the National Security Council focusing on Europe and Russia policy, will all publicly testify in front of the House Intel Committee.

On Wednesday, Ambassador Sondland; Laura Cooper, Deputy Assistant Secretary of Defense for European Affairs; and David Hale, Undersecretary of State for Political Affairs, will all publicly testify in front of the committee.

On Thursday, Fiona Hill; former National Security Council Senior Director for Europe and Russia, will testify publicly in front of the committee.

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