

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To subpoena certain Department of State documents and records.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.**

**S. Res.** \_\_\_\_\_

(title) \_\_\_\_\_

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by \_\_\_\_\_

Viz:

1 At the appropriate place in the resolving clause, in-  
2 sert the following:

3 SEC. \_\_\_\_\_. Notwithstanding any other provision of  
4 this resolution, pursuant to rules V and VI of the Rules  
5 of Procedure and Practice in the Senate When Sitting on  
6 Impeachment Trials—

7 (1) the Chief Justice of the United States,  
8 through the Secretary of the Senate, shall issue a  
9 subpoena to the Secretary of State commanding him  
10 to produce, for the time period from January 1,  
11 2019, to the present, all documents, communica-  
12 tions, and other records within the possession, cus-

1           today, or control of the Department of State, refer-  
2           ring or relating to—

3                       (A) all meetings and calls between Presi-  
4                       dent Trump and the President of Ukraine, in-  
5                       cluding documents, communications, and other  
6                       records related to the scheduling of, preparation  
7                       for, and follow-up from the President’s April 21  
8                       and July 25, 2019 telephone calls, as well as  
9                       the President’s September 25, 2019 meeting  
10                      with the President of Ukraine in New York;

11                     (B) the actual or potential suspension,  
12                     withholding, delaying, freezing, or releasing of  
13                     United States foreign assistance, military as-  
14                     sistance, or security assistance of any kind to  
15                     Ukraine, including but not limited to the  
16                     Ukraine Security Assistance Initiative (USAI)  
17                     and Foreign Military Financing (FMF), includ-  
18                     ing but not limited to all communications with  
19                     the White House, Department of Defense, and  
20                     the Office of Management and Budget, as well  
21                     as the Ukrainian government’s knowledge prior  
22                     to August 28, 2019, of any actual or potential  
23                     suspension, withholding, delaying, freezing, or  
24                     releasing of United States foreign assistance to  
25                     Ukraine, including all meetings, calls, or other

1 engagements with Ukrainian officials regarding  
2 potential or actual suspensions, holds, or delays  
3 in United States assistance to Ukraine;

4 (C) all documents, communications, notes,  
5 and other records created or received by, Sec-  
6 retary Michael R. Pompeo, Counselor T. Ulrich  
7 Brechbuhl, former Special Representative for  
8 Ukraine Negotiations Ambassador Kurt Volker,  
9 Deputy Assistant Secretary George Kent, then-  
10 United States Embassy in Ukraine Charge  
11 d’Affaires William B. Taylor, and Ambassador  
12 to the European Union Gordon Sondland, and  
13 other State Department officials, relating to ef-  
14 forts to—

15 (i) solicit, request, demand, induce,  
16 persuade, or coerce Ukraine to conduct or  
17 announce investigations;

18 (ii) offer, schedule, cancel, or withhold  
19 a White House meeting for Ukraine’s  
20 president; or

21 (iii) hold and then release military  
22 and other security assistance to Ukraine;

23 (D) any meetings or proposed meetings at  
24 or involving the White House that relate to  
25 Ukraine, including but not limited to—

1 (i) President Zelensky's inauguration  
2 on May 20, 2019, in Kiev, Ukraine, includ-  
3 ing but not limited to President Trump's  
4 decision not to attend, to ask Vice Presi-  
5 dent Pence to lead the delegation, directing  
6 Vice President Pence not to attend, and  
7 the subsequent decision about the composi-  
8 tion of the delegation of the United States;

9 (ii) a meeting at the White House on  
10 or around May 23, 2019, involving, among  
11 others, President Trump, then-Special  
12 Representative for Ukraine Negotiations  
13 Ambassador Kurt Volker, then-Energy  
14 Secretary Rick Perry, and United States  
15 Ambassador to the European Union Gor-  
16 don Sondland, as well as any private meet-  
17 ings or conversations with those individuals  
18 before or after the larger meeting;

19 (iii) meetings at the White House on  
20 or about July 10, 2019, involving Ukrain-  
21 ian officials Andriy Yermak and  
22 Oleksander Danylyuk and United States  
23 Government officials, including, but not  
24 limited to, then-National Security Advisor  
25 John Bolton, Secretary Perry, Ambassador

1 Volker, and Ambassador Sondland, to in-  
2 clude at least a meeting in Ambassador  
3 Bolton's office and a subsequent meeting  
4 in the Ward Room;

5 (iv) a meeting at the White House on  
6 or around August 30, 2019, involving  
7 President Trump, Secretary of State Mike  
8 Pompeo, and Secretary of Defense Mark  
9 Esper;

10 (v) a planned meeting, later cancelled,  
11 in Warsaw, Poland, on or around Sep-  
12 tember 1, 2019 between President Trump  
13 and President Zelensky, and subsequently  
14 attended by Vice President Pence; and

15 (vi) a meeting at the White House on  
16 or around September 11, 2019, involving  
17 President Trump, Vice President Pence,  
18 and Mr. Mulvaney concerning the lifting of  
19 the hold on security assistance for  
20 Ukraine;

21 (E) all communications, including but not  
22 limited to WhatsApp or text messages on pri-  
23 vate devices, between current or former State  
24 Department officials or employees, including  
25 but not limited to Secretary Michael R.

1           Pompeo, Ambassador Volker, Ambassador  
2           Sondland, Ambassador Taylor, and Deputy As-  
3           sistant Secretary Kent, and the following:  
4           President Zelensky, Andriy Yermak, or individ-  
5           uals or entities associated with or acting in any  
6           capacity as a representative, agent, or proxy for  
7           President Zelensky before and after his election;

8           (F) all records specifically identified by  
9           witnesses in the House of Representatives' im-  
10          peachment inquiry that memorialize key events  
11          or concerns, and any records reflecting an offi-  
12          cial response thereto, including but not limited  
13          to—

14                   (i) an August 29, 2019 cable sent by  
15                   Ambassador Taylor to Secretary Pompeo;

16                   (ii) an August 16, 2019 memorandum  
17                   to file written by Deputy Assistant Sec-  
18                   retary Kent; and

19                   (iii) a September 15, 2019 memo-  
20                   randum to file written by Deputy Assistant  
21                   Secretary Kent;

22           (G) all meetings or calls, including but not  
23           limited to all requests for or records of meet-  
24           ings or telephone calls, scheduling items, cal-  
25           endar entries, State Department visitor records,

1           and email or text messages using personal or  
2           work-related devices, between or among—

3                   (i) current or former State Depart-  
4                   ment officials or employees, including but  
5                   not limited to Secretary Michael R.  
6                   Pompeo, Ambassador Volker, and Amba-  
7                   sador Sondland; and

8                   (ii) Rudolph W. Giuliani, Victoria  
9                   Toensing, or Joseph diGenova; and

10           (H) the curtailment or recall of former  
11           United States Ambassador to Ukraine Marie  
12           “Masha” Yovanovitch from the United States  
13           Embassy in Kiev, including credible threat re-  
14           ports against her and any protective security  
15           measures taken in response; and

16           (2) the Sergeant at Arms is authorized to uti-  
17           lize the services of the Deputy Sergeant at Arms or  
18           any other employee of the Senate in serving the sub-  
19           poena authorized to be issued by this section.