

POLITICS

# White House Says It Won't Cooperate With Impeachment Inquiry

Trump administration keeps ambassador from testifying about his role in Ukraine controversy



President Donald Trump during a ceremony to present the Presidential Medal of Freedom to former Attorney General Edwin Meese, in the Oval Office of the White House, Tuesday. PHOTO: ALEX BRANDON/ASSOCIATED PRESS

*By Rebecca Ballhaus, Siobhan Hughes and Byron Tau*

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WASHINGTON—The White House said it won't cooperate with the House impeachment probe and the administration blocked the deposition of a U.S. ambassador seen as central to the Ukraine controversy, marking clear battle lines in the fight between President Trump and Democratic lawmakers.

House committees responded by subpoenaing Gordon Sondland, the U.S. ambassador to the European Union, after the State Department early on Tuesday directed him not to appear for his planned testimony.

Later on Tuesday, White House counsel Pat Cipollone sent a letter to congressional Democrats saying the administration would refuse to cooperate with the probe of President Trump's effort to have Ukraine investigate former Vice President Joe Biden, who is seeking the Democratic presidential nomination. Mr. Cipollone said the impeachment inquiry was an effort to overturn the results of the 2016 election.



Gordon Sondland, right, was set to be deposed Tuesday by House lawyers as part of the congressional impeachment inquiry looking into President Trump's effort to press Ukraine for investigations of Joe Biden and other matters. PHOTO: PABLO MARTINEZ MONSIVAIS/ASSOCIATED PRESS

“You have designed and implemented your inquiry in a manner that violates fundamental fairness and constitutionally mandated due process,” Mr. Cipollone wrote. “President Trump cannot permit his administration to participate in this partisan inquiry under these circumstances.”

A senior administration official said it was ordering a “full halt” on cooperating with the impeachment probe, which was launched two weeks ago, while not ruling out potential future cooperation.

House Speaker Nancy Pelosi (D., Calif.) fired back that the White House had made false claims. She laid out the case she sees for the impeachment inquiry, saying that “we see a growing body of evidence that shows that President Trump abused his office and violated his oath to ‘protect, preserve and defend the Constitution.’” Of the 235 Democrats in the 433-member House, fewer than 10 Democrats haven’t come out in support of the impeachment inquiry.

President Trump’s private legal team, meanwhile, began exploring the addition of more lawyers to its ranks, according to a person familiar with the matter, who said the team had reached out to former Republican Rep. Trey Gowdy. Mr. Gowdy, who didn’t respond to a request for comment, hasn’t yet been offered a post, the person said.

The House inquiry focuses on Mr. Trump’s efforts to press the president of Ukraine in a July 25 phone call to work with his lawyer, Rudy Giuliani, and Attorney General William Barr on investigations involving Democrats, including Mr. Biden and his son, Hunter. The call, and the events leading up to it, were the subject of a whistleblower complaint by a CIA officer who alleged that Mr. Trump abused his power by targeting political rivals.

Mr. Trump has labeled the inquiry a “witch hunt” and in a tweet Tuesday called the House a “kangaroo court.”

Mr. Sondland had flown to Washington from Brussels and was set to be deposed starting Tuesday morning. Lawmakers want to learn what he knows about Mr. Trump’s effort to press Kyiv for investigations of Mr. Biden, and whether the administration offered promises of a White House visit or military assistance in return.

The ambassador, a Republican donor and former hotel executive, was expected to be questioned on the role that he and other officials played in crafting a statement in August in which Ukraine would commit to opening a corruption investigation involving Mr. Biden in exchange for a White House meeting between Mr. Trump and Ukrainian President Volodymyr Zelensky.

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*What do you think the House will do in response to the State Department’s refusal to allow Gordon Sondland to testify? Why? Join the conversation below.*

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Mr. Sondland has come under fresh scrutiny in recent days after Sen. Ron Johnson (R., Wis.) told The Wall Street Journal on Friday that Mr. Sondland had told him in August that the decision to hold up nearly \$400 million in aid to Ukraine was contingent on an investigation desired by Mr. Trump and his allies. Mr. Johnson said the president denied any quid pro quo.

Mr. Sondland doesn’t remember his conversation with the senator that way, according to a person familiar with his activities. He understood the White House visit was on hold until Ukraine met certain requirements, but he didn’t know of a link to the military aid, this person said.

Yet text messages released by House lawmakers last week suggest some Trump administration officials believed there was a link between the aid to Ukraine and the investigations Mr. Trump sought. After the top U.S. diplomat in Kyiv raised such concerns, Mr. Sondland spoke with the president before texting back five hours later that Mr. Trump had “been crystal clear no quid pro quo’s of any kind.”

House Democrats moved to subpoena Mr. Sondland’s testimony on Tuesday after an unidentified State Department official called Mr. Sondland’s lawyer, Robert Luskin, at 12:30 a.m. on Tuesday morning to tell him the department was directing the ambassador not to testify, Mr. Luskin said in an interview. The official didn’t give an explanation, Mr. Luskin said.

“I would love to send Ambassador Sondland, a really good man and great American, to testify,” Mr. Trump tweeted. “But unfortunately he would be testifying before a totally compromised kangaroo court, where Republican’s rights have been taken away, and true facts are not allowed

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VALENTYN OGIRENKO/REUTERS

impeachment inquiry.

In the two most recent presidential impeachments, Congress has adopted an identical package of rules that allowed the minority party in Congress to consult on subpoenas. Those rules also granted the president's lawyers the right to attend all sessions related to impeachment, even those closed to the public. The House hasn't adopted those rules in this matter, also prompting complaints from Mr. Trump's lawyers.

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the University of North Carolina School of Law. "It doesn't say anything about the House's power except to say the House shall have the sole power of impeachment."

Rep. Adam Schiff (D., Calif.), chairman of the House Intelligence panel, said Democrats considered the move by the Trump administration to bar Mr. Sondland from testifying and producing related documents "additional, strong evidence of obstruction of the constitutional functions of Congress."

Mr. Schiff said the State Department had also declined to turn over messages contained on Mr.

out for the public to see."

The White House's letter to Democrats focused on Mrs. Pelosi's handling of the impeachment inquiry. Previous presidential impeachment processes were authorized by a vote of the full House and referred to the Judiciary Committee for further action. In this case, Mrs. Pelosi said that six House committees conducting investigations of Mr. Trump would all proceed with their probes under the banner of an

Ms. Pelosi has said that nothing requires her to hold an impeachment authorization vote, a stance that scholars who study the issue support.

"The Constitution doesn't require any such thing," said Michael Gerhardt, a professor at



Rep. Adam Schiff speaks to members of the media on Capitol Hill in Washington on Tuesday. PHOTO: ANDREW HARNIK/ASSOCIATED PRESS

Sondland’s personal devices, which Mr. Luskin said included What’s App messages, text messages and emails. Mr. Luskin said the ambassador was “profoundly disappointed” not to be able to testify and that he “stands ready to testify on short notice, whenever he is permitted to appear.”

Marie Yovanovitch, the former U.S. ambassador to Ukraine who remains a State Department employee, was set to testify later this week, but her deposition is in doubt. The State Department didn’t respond to a request for comment. Secretary of State Mike Pompeo ignored a question about Mr. Sondland in an appearance at the State Department on Tuesday. Ms. Yovanovitch hasn’t responded to requests for comment.

Congress has a few options to enforce its subpoenas on reluctant witnesses. It could go to court and try to get a federal judge to issue an order for Mr. Sondland to testify. However, Congress is engaged in similar litigation with other current and former Trump administration officials over testimony or documents, and such lawsuits often takes months or years to wind through the courts.

Republicans in Congress continue to defend Mr. Trump and Mr. Giuliani’s actions regarding Ukraine. Senate Judiciary Committee Chairman Lindsey Graham (R., S.C.) said he would offer Mr. Giuliani the opportunity to come before the Senate Judiciary panel and outline his allegations on corruption in Ukraine that he believes should be pursued.

—*Natalie Andrews, Michael C. Bender and Jesse Naranjo contributed to this article.*

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