

EXECUTIVE SESSION
PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

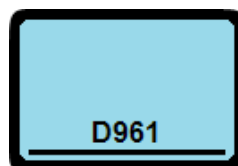
DEPOSITION OF: MICHAEL COHEN

Thursday, February 28, 2019

Washington, D.C.

The deposition in the above matter was held in Room HVC-304, Capitol Visitor Center, commencing at 9:35 a.m.

Present: Representatives Schiff, Himes, Sewell, Carson, Speier, Quigley, Swalwell, Castro, Heck, Welch, Maloney, Demings, Krishnamoorthi, Nunes,



UNCLASSIFIED

2

Conaway, Turner, Wenstrup, Stewart, Crawford, Stefanik, Hurd, and Ratcliffe.

UNCLASSIFIED

Appearances:

For the PERMANENT SELECT COMMITTEE ON INTELLIGENCE:

[REDACTED]

UNCLASSIFIED

For MICHAEL COHEN:

MICHAEL D. MONICO

CARLY CHOCRON

ELIZABETH GRANOFF

MONICO & SPEVACK

20 South Clark Street, Suite 700

Chicago, IL 60603

LANNY DAVIS

DAVIS GOLDBERG & GALBER

UNCLASSIFIED

MR. GOLDMAN: Good morning, everyone. This is an unclassified transcribed interview of Michael Cohen.

Mr. Cohen, thank you very much for speaking with us today.

My name is Daniel Goldman. I'm a senior advisor and director of investigations for the majority staff. Next to me is Nicolas Mitchell. He's investigative counsel for the majority staff.

Before we begin, I want to state a few things for the record.

The questioning today will be conducted by members and staff during their allotted time period.

Some questions may seem basic, but that is because we need to clearly establish the facts and circumstances surrounding the events at issue. Please do not assume, Mr. Cohen, that we know any facts that you have previously disclosed as part of any other investigation or review.

This interview will be conducted at the unclassified level and taken in executive session.

We ask that you give complete replies to questions based on your best recollection. If a question is unclear or you are uncertain in your response, please let us know. And if you do not know the answer to a question or cannot remember, simply say so.

During the course of this interview, we will take periodic breaks, so please don't hesitate to let us know when you may need a break.

There is a reporter making a record of these proceedings so we can easily consult a written compilation of your answers. Because the reporter cannot record gestures, we ask that you answer all questions verbally, and please don't

nod your head "yes" or "no" but state "yes" or "no." If you forget to do this, you may be reminded to do so.

You are entitled to have counsel present for you during this interview, and I see that you have several counsel. At this time, I would ask that the counsel make their appearances for the record.

MR. MONICO: Michael Monico, Monico & Spevack, Chicago, Illinois.

MR. DAVIS: Lanny Davis, Davis Goldberg & Galber.

MS. CHOCRON: Carly Chocron, Monico & Spevack.

MS. GRANOFF: Elizabeth Granoff, Monico & Spevack.

MR. GOLDMAN: Thank you.

Now, consistent with the committee's rules of procedure, you and your counsel, if you wish and upon your request, will have a reasonable opportunity to inspect the transcript of this interview in order to determine whether your answers were correctly transcribed. The transcript will remain in the committee's custody.

The process for the interview is as follows: The majority will be given 1 hour to ask questions, and then the minority will be given 1 hour to ask questions. Thereafter, we will take a break if you desire, Mr. Cohen. And after that time, the majority will be given 45 minutes to ask questions, and then the minority will be given 45 minutes. After that second round, we will alternate between the majority and the minority in 30-minute rounds until questioning is complete.

Finally, you are reminded that it is unlawful to deliberately provide false information to Members of Congress or staff.

As this interview is under oath, Mr. Cohen, would you please stand and raise your right hand?

Do you swear or affirm that the testimony you're about to give today is the whole truth and nothing but the truth?

MR. COHEN: I do.

MR. GOLDMAN: Thank you.

The record will reflect that the witness has been duly sworn.

Mr. Chairman.

THE CHAIRMAN: Thank you.

Mr. Cohen, the committee would first like to begin by thanking you for volunteering to appear before us today and to answer our questions on a number of topics of interest to our investigation and to the American people.

We know that this is your third day of testimony in Congress. You must be exhausted. And we appreciate your efforts to set the record straight about your previous testimony before this committee as well as other important matters.

We also recognize that a decision to voluntarily appear today was made all the more difficult by improper conduct by the President and his advisors that caused you to worry about your safety and that of your family. We appreciate your willingness to come here today in spite of those inappropriate efforts to intimidate you.

While we recognize you are here voluntarily, we expect that you will answer our questions to the best of your recollection and fully and completely. Questions will be asked by both members and staff. You may consult your attorney prior to answering these questions, but the answers must be truthful and complete.

The scope of the interview is to address matters of interest to the investigation the committee announced on February 6, 2019, and to allow you to correct your previous false statements before this committee, some of which you

pled guilty in a case brought by the Special Counsel's Office. We will not permit any harassing or badgering questions, and we expect that all members of the committee will be respectful.

Before we begin, do you have any questions for us?

MR. COHEN: No, sir. But I would like to thank you, as well, for putting out the statement. It meant a lot to my family.

THE CHAIRMAN: Thank you.

At this point, I will recognize the ranking member for any opening remarks he would like to make.

MR. NUNES: We have no opening remarks at this time. Thank you.

THE CHAIRMAN: I will now turn it back over to my staff to begin the questioning.

BY MR. GOLDMAN:

Q Good morning, Mr. Cohen. The process for the majority today is that the staff will be asking questions on a range of topics. And then sort of at the end of each topic or category, the members will be offered an opportunity to ask followup questions or additional questions.

Would you please first state your full name for the record?

A Michael Dean Cohen.

Q How old are you, sir?

A Fifty-two.

Q Are you under the influence of any medication or other substances?

A No.

Q Do you have any medical condition that would prevent you from testifying truthfully today?

A No.

Q And other than being tired, do you feel okay to testify today?

A Tired, but I feel okay.

Q All right.

Let's start by briefly reviewing your prior interactions with this committee.

Do you recall that in May of 2017 you received a letter requesting that you voluntarily appear before this committee?

A Yes.

Q Did that letter also request the production of documents?

A Yes.

Q Do you recall that you also received a subpoena from this committee?

A I do not. Do you have a copy?

Q We can try to get a copy for you. But did you ultimately produce documents to this committee?

A The documents were produced by The Trump Organization, as they're in custody and control of all of the documents.

Q Okay. And do you recall whether you, yourself, through your attorney, produced any documents?

A Yes.

Q So, in addition to the Trump Organization documents, you, through your attorney, produced some documents as well?

A Yes.

Q Okay. And did you also supply a written statement to this committee?

A Yes.

Q Did there come a time when you testified before this committee?

A Yes.

Q And do you recall the date of that testimony?

A I do not.

Q If I told you that it was October 24, 2017, would that sound correct to you?

A Sounds correct.

Q Okay.

Prior to your testimony on October 24, 2017, did you have any communications or meetings with any member of this committee?

A I'm sorry. Say that again, please.

Q So, prior to your original testimony in October 2017, did you have any communications or meetings or conversations with any members of this committee?

A Not that I recall.

Q Did you have any communications or conversations with any staff members of this committee?

A Not that I recall.

Q And do you recall whether your lawyer had any communications or conversations with any member or staff member of this committee?

A I'm not aware.

Q Between October 24, 2017, after your testimony, and the end of 2018, did you personally have any communications with any members or staff of this committee?

A I'm sorry. One more time, please.

Q Okay. So between your testimony on October 2017 through the end

of 2018, so this last year, did you have any communications with any members or staff of this committee?

A Not that I'm aware of.

MR. DAVIS: Excuse me.

[Discussion off the record.]

MR. COHEN: Sorry. Okay.

BY MR. GOLDMAN:

Q Now, prior to testifying here today, did you speak with any Democratic members of the committee?

A Yes.

Q Who did you speak with?

A I spoke with yourself --

Q Members, sir.

A Oh, members of the committee. I spoke with Congressman Schiff.

Q How many times?

A One occasion, I believe.

Q Okay. And what was the nature of that conversation?

A Asked me to appear today before this committee and to also express his displeasure in attacks upon my family.

Q And then prior to testifying here today, did you speak with any staff members from this committee?

A Yes.

Q Okay. Approximately how many times?

A Four times.

Q And what was the nature and purpose of those meetings?

A To discuss the scope of the questioning that was going to take place, topics and so on.

Q And did you review your prior testimony?

A Yes.

Q Now, since the last time that you appeared before this committee in October 2017, were you charged with any criminal offenses?

A Yes.

Q Were any of those felony offenses that related to your appearance or your written statement before this committee?

A Yes.

Q All right. What were they?

A Lying to Congress.

Q And prior to coming here today, did you voluntarily provide to the committee documents that you had not previously produced?

A Yes.

Q And approximately when did you produce those documents?

A Within the past month.

Q Now, I want to turn to your initial relationship with President Trump. When did you first meet Donald Trump?

A The very first time I met Mr. Trump was at his apartment when I was on the finance committee for Dennis Vacco, who was running for reelection as attorney general.

Q Approximately when was that?

A That was mid-'90s.

Q Okay. And did there come a time when you began working for

Mr. Trump at The Trump Organization?

A Yes.

Q When was that?

A Early 2007.

Q And between that first meeting and early 2007, approximately how many times would you say that you interacted with Mr. Trump?

A Under 10.

Q Now, when you were hired in 2007, what role did you have?

A I was given the title of executive vice president and special counsel to Donald J. Trump.

Q And what were your duties and responsibilities in that role?

A To handle all matters that he felt affected him personally, the company, technically, whatever he wanted.

Q Was there also a general counsel?

A There was a general counsel, yes.

Q So your role was not to be the general counsel?

A No.

Q And how was the division of responsibilities between the general counsel and you as the special counsel divided up?

A I only worked for Mr. Trump. I didn't report to anyone else.

Q So did you deal with transactional documents frequently in your role as special counsel?

A If he wanted me to look at them, yes, but generally -- Jason Greenblatt was general counsel. Co-general counsel at the time was George Ross. They divvied up the functions. Jason Greenblatt was more transactional with the

UNCLASSIFIED

banks, and George was more on the retail leasing side of the business. And then there was a handful of other attorneys who were sort of also counsel to the firm.

Q And did those handful of other attorneys work for you, or did they work in the general counsel's office?

A They worked under the general counsel.

Q Okay. So you've been called in media reports Mr. Trump's fixer. Would you say that that's an accurate description of your job?

A Yes.

Q Now, how much interaction did you have with Donald Trump when you worked for him at The Trump Organization?

A On a daily basis.

Q How many times a day?

A Range between 10 times a day to 20 times a day.

Q And generally speaking, how would interactions with him be initiated?

A I would either get a call from one of the executive assistants that worked up by Mr. Trump's desk, whether it be Rhona Graff or any of the other assistants, "Mr. Trump wants to see you." So I'd walk into his office. Or I would get a document that said "see me" on it. Or he would sometimes just show up in my office.

Q His office was on the 26th floor?

A Correct.

Q And where was your office?

A On the 26th floor.

Q Okay. Were you within shouting distance of him?

A No.

UNCLASSIFIED

Q All right.

Is it fair to say that over the 10 years that you worked for Donald Trump you built a close relationship with him?

A Yes.

Q Did you also socialize with him?

A No.

Q When you traveled on business, would you have meals with him?

A Yes.

Q And how frequently would you travel on business with him?

A It wasn't often.

Q Did you become familiar with his mannerisms?

A Yes.

Q And his habits?

A Yes.

Q Did you become familiar with the way in which he communicated with people?

A Yes.

Q And how would you describe the manner in which he communicated with people?

A I don't fully understand your question.

Q Was there a particular way you could describe how Mr. Trump engaged in conversations with people? Is it how you engaged in conversations with people, or is it different?

A Different. So Mr. Trump's conversations are generally very short, unless you're talking about golf, and then he could talk about that all day long.

UNCLASSIFIED

But when he's talking about things that -- even stuff that concerned him, they were never long conversations, they weren't detailed. They were basically he would tell you what he wanted or he would tell you what he wanted you to say.

So he doesn't really ask questions about things. He kind of gives you the answer in advance. As an example, he'll say, this is the greatest hamburger you've ever eaten, isn't it? Okay, yes. All right. You're not going to argue with him over it. It's just not worth it. And if you say no, it becomes an argument, so what's the point?

Q You testified yesterday that he speaks in --

A Code.

Q -- I think you called it code. And could you describe what you meant by him speaking in code?

A So sometimes I'd be brought in in order to negotiate on, say, a fee that somebody was going to be receiving. And he wouldn't say to me, oh, you know, make sure you get a really lowball number on it. What he would say is, Michael, go take him into the other room and, you know, just make a good deal. I know exactly what he was talking about. It wasn't about making a good deal; it was really lowballing it, and he wanted to almost technically get it for free.

Q How did you know what he meant?

A Just years of doing it. And I'll give -- how. So the first time I ever did it, I probably didn't get the right number. And so when I went back into his office, he turned around, he looked and he said, it's not the -- no, no good, go back and get better.

So ultimately you just learn, you know, what numbers in certain areas that he's willing to accept.

UNCLASSIFIED

Q Now, in your role as Donald Trump's fixer over the course of a decade, did he ever ask you to do anything that you believed to be improper or suspicious or suspect?

A Yes.

Q Can you give an example?

A Well, I guess we can talk about Stormy Daniels or Ms. Clifford.

Q Other than stuff that you've testified about in terms of your criminal conduct, what we're trying to get at here is the nature of the job you had as his fixer. What was he asking you to do?

A Anything that was of concern to him or any issue he just wanted me to handle.

Q But when you say "handle," what do you mean?

A So, as an example, there was an insurance claim in the bathroom of his apartment at Trump Tower. There was a fresco on the ceiling, and Melania's humidifier overflowed and it caused damage into the bathroom. So he said to me, take care of the insurance claim on this matter.



Q Okay.

You testified yesterday that there were times that he -- other than the

UNCLASSIFIED

campaign finance fraud that you -- there were times he asked you to do things --

A I'm sorry. Can I --

Q Yeah.

A Do you want a better example? We could -- oh, the ones with the CNBC poll that people are talking about now, where I helped to rig the poll.

Q Did he know about that?

A Yes.

Q And what did he know about that?

A So I actually found a document, "CNBC Contenders." It says "Michael C." with an arrow pointed down. Came to his office. Generally the way that that would work was Rhona or one of the young ladies in the front would send an email out to everyone in the company saying, "Mr. Trump is on the contenders list. Please log on to your various devices and vote for him," or one of the golf courses or what have you. And in this specific case, it was for him as one of the top businesspeople, you know, in the world, recognized.

Wasn't doing very well in the poll and brought it to my attention. When it said "Michael C.," pointing down, what that means is come see him about it. And so I did. And I told him that, you know, there are ways that you could play with these online polls by using bots and algorithms and so on, that there's a company that I know that can actually do it. And he said, well -- he goes, you know, how good do you think that they can do this? And I said, you know, they could do anything. It all depends on how many IP addresses that you're able to, you know, to use.

So he said, I want to be number one. And I said, well, that would kind of be suspicious, don't you think? Like, out of 250, I think we're, like, 238 or 240,

UNCLASSIFIED

something like that. And I said, it'd be kind of suspicious. How about if we just go for number 9? He says, all right, number 9 is good because it was top 10.

So I reached out to this company called Redfinch, and they started. And we moved up, like, 50, 60 points in the day, and I showed him, and he was pleased. And I said that we needed, like, another \$6,000 to buy another 100,000 IP addresses, and he said, okay. And I went ahead and bought those. And then we're up into the mid-30s or 40s and needed another, like, \$8,000 to buy another 250,000 bots, IP addresses. And I went to him, and he said, okay, great. And then we finally got to number of 9, and then the poll closed.

But CNBC had a little clause at the bottom that said that we have the right to remove anybody that we want from the poll simply because we want to. And he was very upset about it. And so was T. Boone Pickens, who was number 8. And I have an email to this effect, too, where T. Boone Pickens' assistant contacts Rhona, saying, should our PR people get together and do something about Mr. Pickens being removed as number 8 and Mr. Trump number 9?

Mr. Trump calls me in. He's really upset, even though, of course, we really didn't win, but he was very upset about it. And he had me reach out to -- I think his name is Mark Halloran, who is the president of CNBC. And I said to him, it's not right, you know, we're going to bring a lawsuit. You basically did this in order to get people's IP addresses so that you have more addresses for marketing.

And that's just as an example of something that I would say it's not illegal, it's just improper.

Q Right. And are there other examples of that sort of thing that you did over the years?

A I'm sure. I'm sure. I don't -- I can't come to mind, but --

Q Well, did he ever ask you to renege on contracts that The Trump Organization had?

A Some of the things that I did was reach out to individuals, whether it's law firms or small businesses, and renegotiate contracts after the job was already done, or basically tell them that we just weren't paying at all, or make them offers of, say, 20 cents on the dollar.

Q Did you do things at his direction that, as you sit here today, you know were wrong?

A Well, of course, it's wrong. I mean, somebody does a job and they put in a bill -- many of these folks, you know, lost everything.

One gentleman yesterday saw me on television, and he wrote to me in a text message. I could send it to you. And I think he was from Ohio. And he said, you know, I remember for Trump University that I had done -- I think it was printing work. I can send it to you. But he had done some work printing for Trump University, and we ended up paying them only 20 cents on the dollar because Trump University had its own issues, and he ended up losing the company.

Q And in that example, were you involved in doing that?

A I handled all of that.

Q Did Donald Trump tell you, go pay 20 cents on the dollar?

A Yes.

Q He said to you, pay specifically 20 cents on the dollar?

A Yeah, because there was X amount of dollars that was in the bank, and what we did is divided it by the amount of money that was outstanding and owed, and it came out to approximately 20 cents on the dollar.

Q Let me rephrase my question. Did he direct you specifically how to pay this individual less than what he was owed, or did he tell you, "Take care of this, Michael"?

A Everybody was 20 cents on the dollar.

Q That was the general rule?

A Sure. Because he wasn't going to put additional funds into the company.

Q Okay.



We'll take a moment now, Mr. Chairman, to see if any members have any followup questions on what we've just covered.

THE CHAIRMAN: Mr. Cohen, I just had one question. We'll get into the Moscow Trump Tower in your testimony down the line, but are there other illustrations you can give us of situations where Mr. Trump would make false statements in your presence and in the presence of others and then ask you to confirm what he had just said?

MR. COHEN: Yes.

THE CHAIRMAN: And how frequently would that happen?

MR. COHEN: Often.

THE CHAIRMAN: And was it understood that when he said something you both knew was false and he would turn to you that you would repeat the falsehood?

MR. COHEN: Yes.

THE CHAIRMAN: Was that more or less a modis operandi that the two of you had?

MR. COHEN: For everyone. If he said something -- I hate to use the example, it's like Ramses from the Ten Commandments: So it has been said, so it shall be done. That is how The Trump Organization works.

THE CHAIRMAN: So it was understood by you and by others working for him that if he said something either publicly or in the presence of others that you all knew to be untrue, you were to repeat the untruth?

MR. COHEN: Yes.

THE CHAIRMAN: Nothing further.

My colleagues?

Mr. Swalwell.

MR. SWALWELL: Mr. Cohen, thank you.

Mr. Schiff alluded to there's further questioning on other matters, but just generally, have you ever seen Mr. Trump direct his son Donald Trump, Jr., to also make false statements?

MR. COHEN: And this goes to the whole point on how Mr. Trump speaks. It's not as though he directs you. I would say to you in normal conversation, Congresswoman Swalwell, I want you to say that Poland Spring is the greatest water on the planet. That's not how he would say it to you. He would just say,

Congressman, Poland Spring is the greatest water on the planet, right? What are you going to say, no? Okay. So then when you are talking to him about Poland Spring, what do you say? That's his message.

MR. SWALWELL: Did you see that occur between Mr. Trump and his son Donald Jr. where --

MR. COHEN: I've seen him do it with everybody.

MR. SWALWELL: And that would include Ivanka?

MR. COHEN: Yes.

MR. SWALWELL: Would that include Jared Kushner?

MR. COHEN: Yes.

MR. SWALWELL: How about Mr. Manafort?

MR. COHEN: Absolutely.

MR. SWALWELL: How about Rhona Graff?

MR. COHEN: Yes.

MR. SWALWELL: How about Keith Schiller?

MR. COHEN: Yes.

MR. SWALWELL: That's all.

THE CHAIRMAN: Mr. Krishnamoorthi.

MR. GOLDMAN: Is there a microphone?

MR. KRISHNAMOORTHI: Mr. Cohen, have you ever seen someone do it the wrong way and then he had to correct them? In other words, you know, if he said, this is how it is, and then someone said it, like, the opposite or said it wrong, he said, I said this is how it is. In other words --

MR. COHEN: Yes. And then generally what happens is you start to see the back and forth and back and forth going on trying to clean up the mess.

For example, with Rudy Giuliani, when he makes certain statements off the cuff and it's not in comport with Mr. Trump's message. So then now they come back, and what did Mr. Trump turn around and say in public? Oh, well, Rudy's new. He doesn't know. You know, we've got to give him a little bit of a break.

MR. KRISHNAMOORTHY: Can you give one specific example?

MR. COHEN: That one is an example, when they were talking about a statement that he made regarding me and regarding -- I believe it was the -- what's that? Yeah, the reimbursement for the Stormy Daniels payment. And what happened was he was not on message, and then Mr. Trump came out and stated, you've got to give Rudy a break. He's new. He doesn't have all the facts.

Under normal circumstances, if Rudy was there for a while, he probably would have been fired.

THE CHAIRMAN: Ms. Speier.

MS. SPEIER: Mr. Cohen, you talked about that one businessman who just wrote you and said, I went out of business because the contract was renegotiated. It sounds like you renegotiated a lot of contracts. How many small businesses went out of business because you renegotiated contracts down?

MR. COHEN: I don't have that specific number, but there were a lot of --

MS. SPEIER: Were there 10?

MR. COHEN: I'd say more. I'd probably say more than that. I dealt with a lot of open invoices, as it related to Trump University.

Sad story is one of the people who I'd done it to, I didn't even know, was a friend of mine. His family owned the company. And I didn't even know that that was his family's business.

MS. SPEIER: And they lost their business?

UNCLASSIFIED

MR. COHEN: No. No. No, they're a large company, but he was like, you know, why 20 cents on the dollar? I said, well, that's all that was in the account in order to pay. He goes, you know, we lost a tremendous -- I said, why are you even asking? He goes, you know, that's my company. I was like, I didn't know. I'm sorry. I bought him lunch.

MS. SPEIER: Thank you.

THE CHAIRMAN: Ms. Sewell.

MS. SEWELL: So was negotiating the Trump University settlement the largest part of your job? Or did you have to negotiate other contracts for 20 cents on the dollar or whatever, a lower amount?

MR. COHEN: Oh, no, no. That was just one of the things going on at the time. I didn't have one specific --

MS. SEWELL: Client.

MR. COHEN: -- function. I could have 10 things going virtually at the same time. The more that he would call you into the office, the more things he would task me with.

MS. SEWELL: So that included across the board, not just Trump University but the golf clubs?

MR. COHEN: Everything. Everything.

MS. SEWELL: Every business that he was involved in, you potentially would have to --

MR. COHEN: Including dealing with the media, you know. If there was a spin and it wasn't going that way, he would have me reach out to media in order to spin it and to try to spin it. Anything that he had concern or an issue with,

MS. SEWELL: Thank you.

UNCLASSIFIED

MR. COHEN: It was exhausting.

THE CHAIRMAN: Mr. Castro. Let's make this the last question before we move on to the next topic.

MR. CASTRO: You mentioned that on some of these contracts that he would pay 20 cents on the dollar ultimately. Did he know ahead of time, before he engaged these businesses, that he didn't have the money or wasn't willing to pay?

MR. COHEN: No, it wasn't before. It was as a result of the company's problem. It was a licensing -- you know, Trump University, we all thought, actually, it was a licensing deal with a guy named Michael Sexton. It turns out that Mr. Trump actually had the largest percentage of ownership in the company. Actually, I didn't know that because I didn't do the contract for the creation of the company. But ultimately the company fell apart.

And, I mean, for all you know, this hotel, you know, that we're staying in here in D.C., you know, they maybe put on a function, and for the room rental they just didn't get paid, and all these invoices started piling up. That's how I ended up getting involved.

BY MR. MITCHELL:

Q Good morning, sir.

A Sir.

Q I'm going to shift gears a little bit, and we're going to turn to Trump Tower Moscow.

A Sure.

Q And we're going to spending quite a bit of time this morning on this particular topic. No surprise to you, I'm sure. I'm going to start at a 30,000-foot

level to frame Trump Tower Moscow and to put it into perspective.

Did Mr. Trump ever express to you his interest in doing business in Russia at any time?

A Yes.

Q And how often would he talk to you about his interest in doing business in Russia?

A Not often. He was interested in doing business in any country, and especially, you have to remember, the licensing deals.

Q Approximately how many times would you say that Mr. Trump talked to you about his interest in doing business in Russia?

A Maybe a handful.

Q Okay. And what would he say?

A Well, if the topic would come up, it'd be great to have a project there.

Q Anything else?

A No.

Q When was the first time you had communications with anyone outside of The Trump Organization about developing a Trump Tower in Moscow?

A Somewhere around 2015.

Q And who would that first conversation have been with?

A Felix Sater.

Q Within The Trump Organization?

A I'm sorry?

Q Who would that first conversation have been with within -- excuse me. Okay. Felix Sater. So who is Felix Sater?

A Felix Sater is a gentleman who was a partner in a company called

Bayrock, and they had successfully done the deal that was known as Trump SoHo. And I believe Felix was also, through Bayrock, involved in the Trump Fort Lauderdale project.

Q And did you know Mr. Sater personally before 2015?

A I did.

Q And what was the nature of your relationship?

A I knew Felix Sater when I was around 17 years old, socially.

Q And did there come a time when you entered into a business relationship with Mr. Sater?

A With Mr. Sater? No, I was never in business with Mr. Sater.

Q Okay. Did you ever conduct business with Mr. Sater?

A Yes.

Q Okay. Prior --

A So just -- I want to be clear, though, because there's a lot of misconception about my relationship to Felix Sater. We did not grow up together. I don't even know where Felix grew up. I know he was married. He's got, I think, three daughters. I couldn't tell you any of their names. I've never actually had dinner with him and his wife.

From the time I saw him at 17, because there was just a group that I knew that knew him, I didn't see him again for 20 years until Trump, when he was involved in the Trump SoHo project. So this whole story about Felix and I being lifelong friends is just not true.

Q What was Mr. Sater's involvement in the Trump SoHo project?

A So he was with a company called Bayrock, and they put two groups together. You had The Trump Organization, which was the licensor, and you had

UNCLASSIFIED

Zar Realty, Z-a-r, which was the licensee. And it was for the construction and development of Trump SoHo, which was a hotel/condo.

Q Do you know whether Mr. Sater was ever an employee of The Trump Organization?

A I don't believe he ever was.

Q Okay.

So, turning back to the Trump Tower Moscow deal, was Mr. Sater working on behalf of The Trump Organization in connection with that deal?

A No.

Q So who did he represent?

A He represented a company called IC Expert, Inc., and the principal's name was Andrei Rozov.

Q Do you know whether Mr. Sater had a formal agreement with IC Expert, Inc.?

A I'm not aware.

Q Can you please describe the initial conversations that you had with Mr. Sater about Trump Tower Moscow?

A He called me and told me that he represents a company in Russia that has the ability to build. What they want is a five-star luxury condo/hotel/commercial property in Russia. And he wants to bring it to Trump as the licensor.

Q And this was all in the initial conversations that Mr. Sater had with you back in 2015?

A Yes.

Q Did there come a time after those initial conversations that you had

UNCLASSIFIED

discussed this possible deal with anyone at The Trump Organization?

A Yes.

Q When was the first time, to the best of your recollection, that you spoke with someone from The Trump Organization about the Trump Tower Moscow deal that was being proposed by Mr. Sater?

A Immediately after I spoke to Mr. Sater. I went straight into Mr. Trump's office, and I told him about the opportunity.

Q And do you have a specific recollection of that meeting?

A Yes.

Q And when did that meeting occur?

A I don't recall the exact date, but it was sometime in October of 2015.

Q Who else was in Mr. Trump's office for that conversation?

A I don't recall.

Q What did you tell Mr. Trump?

A That there's an opportunity to build the tallest building in all of Europe. And he goes, oh, you know -- and I told him it would be in Moscow. He says, okay. He goes, who's the partner? And I said, well, it's a client of Felix's. He was like, ah, you know, it's Felix. I'm like, yes, but Felix isn't the partner, Felix is just the representative of the partner. And he said to me, all right, you know, just be careful.

Q Do you have any opinion as to why Mr. Trump reacted in the manner that you just described regarding Mr. Sater?

A There was some bad blood. There was a very bad television piece that took place earlier, and it dealt a lot with Felix's relationship to Mr. Trump. Alan Garten was on television, said some relatively unflattering things. Felix

UNCLASSIFIED

probably leaked some negative stuff, and there was some back-and-forth bad blood between the two. And when Mr. Trump asked Felix to leave the office, it just didn't go well.

Q When you say asked to leave the office, what do you mean by that?

A So Felix occupied an office on the 26th floor. He also had an assistant in the bullpen outside of his office, I think. First it was two; then it became one. Then, ultimately, after a couple months, Mr. Trump told him that he has to leave.

Q That office was not part of The Trump Organization, though, correct?

A It was -- well, it belonged to -- it was on the 26th floor, Mr. Trump's. But Felix was not part of The Trump Organization, no.

Q Okay. Thank you.

Mr. Trump also said to you that you should be careful. What do you mean by that?

A He wanted me to keep him on a short leash.

Q And, again, this was in October of 2015?

A I believe.

Q Do you recall when Mr. Trump had kicked Mr. Sater out of that office?

A I don't.

Q It was sometime before October 2015?

A Yes. Yes.

And the reason he came to me as opposed to also running to, say, Don Jr. or Ivanka or Eric or Mr. Trump himself, which is what he would have done if he was still at the office, is, again, there was some bad feelings between the kids also and Felix because they were part of Felix having to leave the office.

UNCLASSIFIED

Q But that bad blood did not exist between you and Mr. Sater?

A No.

Q And that's why he came to you with his proposal?

A Correct. Correct.

Q Did Mr. Trump say anything else during that initial meeting?

A Other than keep him on a short leash? Keep me posted.

Q Okay. And did you take that to mean that you should potentially pursue this opportunity?

A Absolutely.

Q Now, were there multiple lines of effort to develop a Trump Tower Moscow during this time period in addition to this proposal by Mr. Sater?

A To me or to others at the organization?

Q Let's start with ones in which you were involved.

A One.

Q Okay. And who was that with?

A A friend of mine named Giorgi Rtskhiladze.

Q And we're going to get into Mr. Rtskhiladze's proposal in more detail later.

A There really is no -- there really was no proposal. He wanted to be the licensee with his group, but we had already entered into an LOI with IC Expert. And so while I engaged in some conversation, just keeping Giorgi Rtskhiladze's proposal on the back burner just in case it never went anywhere, never even to a point of a letter of interest.

Q And we'll go into far more detail with this in a little bit. That's why --

A I was hoping to possibly avoid that.

Q But, to be clear, that was an entirely separate effort than the proposal that Mr. Sater had to you in October 2015?

A Entirely different.

Q Thank you.

Are those the only two efforts that you were involved in with regard to a Trump Tower Moscow proposal?

A Yes.

Q Okay. Now, you indicated that there might have been other efforts with other individuals of The Trump Organization?

A Correct. There were earlier efforts which occurred. Going back, obviously, we all know this from press, Mr. Trump, as well as with Don and Ivanka, prior to my proposal with -- well, Felix's proposal to The Trump Org that they had with the Agalarovs and then, I believe, once even before that, which I'm not aware of.

Q And you were not personally involved in those efforts?

A I wasn't involved at all.

Q Okay. Did you ever speak to Mr. Trump about those earlier efforts?

A No.

Q After you spoke to Mr. Trump in October of 2015 regarding Mr. Sater's proposal to build a Trump Tower Moscow, what did you do next?

A Continued discussing this proposal with Mr. Sater.

Q Can you just generally describe the typical initial steps that you would've performed to pursue a deal of this type, not necessarily this particular deal but just a deal of this type?

A I would have run this the same way that I ran the deal that I had done

with Mr. Rtskhiladze previously in the country of Georgia.

I had a template for a letter of intent, so I printed that. Then, obviously, I knew that the property would have a hotel component to it, so I printed out a hotel management agreement. And I knew that there was also going to be a commercial side to it, so I printed out a document regarding the commercial aspect to it.

And then I spoke with Felix on the phone and talked about the way we were going to structure the economics of the deal.

Q And that's the typical process that you would have followed in any other deal of this type?

A Yes.

Q Now, were you the lead negotiator for The Trump Organization in regards to the Trump Tower Moscow deal that you're describing with Mr. Sater?

A Yes.

Q Who else from The Trump Organization was involved in negotiating this deal?

A Negotiating the deal? Just myself and Mr. Trump.

Q And on the other side of the deal, other than Mr. Sater, who were you engaging with?

A I'm unaware. I mean, he introduced me once by telephone to Andrey Rozov, who doesn't speak English, so he acted as the interpreter. I don't even know if it was Andrey Rozov that I was speaking to.

Q Do you know when that was?

A It was prior to the execution of, I believe, the LOI.

Q And do you recall the date that the LOI was executed?

A I believe it says October 28 of 2015 on the document.

Q So it would have been sometime --

A It would have been either that day or the day before.

Q Okay.

Based on your discussions with Mr. Sater as well as your initial discussion with Mr. Trump, did you immediately decide that this was going to be a licensing deal?

A It would only be a licensing deal. He doesn't have partners in overseas companies. Whatever is overseas, like Trump Scotland or, you know, what do you call it, Aberdeen, he owns himself.

Q And based on your years of experience with Mr. Trump, do you know why that is?

A He doesn't trust people.

Q Why do you say that?

A Because if you send money overseas and your partner is local, especially if it's a foreign country, chances are they'll take your money and you're going to lose in court. They have home-court advantage.

Q Did Mr. Trump say that to you?

A That's what I know, yes.

Q How do you know that?

A Because we've had that discussion.

Q With Mr. Trump?

A Yes. So anything overseas that he doesn't own outright, he doesn't have partners. Actually, I think the only partner that he has even in the United States is Phil Ruffin in the Las Vegas project. They're 50/50. Other than that, I

can't think of any other real estate project that he has a partner in.

Q Turning back to Trump Tower Moscow, who was responsible for the architectural plans of that project?

A So there was no one responsible for architectural plans because the deal didn't get that far. I think I have an idea why you're asking this.

So I have used, just as a placeholder, a previously conceived property that I thought of for a property that Giorgi Rtskhiladze and I were looking at in the country of Kazakhstan. And I used a friend, a gentleman named John Fotiatis, architecture, to do the rendering. And what we did is we took the same property and we just transposed it into Russia for the purposes of a placeholder on this project. And it is a beautiful design.

Q In your preliminary discussions, what other aspects of the deal would The Trump Organization be responsible for?

A Virtually everything -- the design, interior. There is a whole section, assuming we've gone to definitive documents, on specifications, the types of marble that have to be used, the ceiling heights, bathroom fixtures -- I mean, everything. Everything.

They would run point on the construction with local contractors. For the hotel, obviously, Trump Hotel management would take over that. As far as for the commercial space, we probably would have had operational control over that as well. As well as Trump Realty would probably be selling the residential apartments there, along with a local broker.

Q And what was Mr. Sater's side of the deal responsible for?

A For all the money and the permits, the property, everything local.

Q Did you come to learn that there was anything different or special

about conducting a real estate deal in Moscow, Russia?

A Well, I didn't learn it; I already knew it. I mean, everything runs through the Kremlin. Everything runs through Putin. He doesn't want to look out the window and see anything that he didn't approve.

Q And how do you know that?

A I just know people who have done business in Russia, and I just know that everything runs through the Kremlin.

Q Did you have similar experiences with different governments in Georgia and Kazakhstan?

A Kazakhstan is the same. Everything runs through the government. And in Georgia, yes, everything runs through the government there too.

Q And we'll get, again, into more detail about this later, but did Mr. Sater also discuss to you the fact that everything needed to go through the Kremlin when it came to a project in Moscow?

A Yes. He said it many times.

Q Did you ever discuss this requirement that projects be vetted by the Kremlin with anyone in The Trump Organization?

A Not that I recall.

Q Was it your understanding that Mr. Trump or others at The Trump Organization nevertheless understood that any real estate deals in Moscow required the Kremlin's approval?

A I believe they know that like everybody else.

Q So what's the basis for that belief?

A Well, I know that Don and Ivanka had been there looking at projects. Mr. Trump had been looking at projects there going back to the, you know, late

'90s, I think, or mid-'90s.

Q So it's their past experiences in that country?

A It's also -- it's widely reported that --

Q And common knowledge.

A And common knowledge, yes.

Thanks for the help. I am really tired.

Q At any time did you have any discussions with Mr. Sater about how to go about getting government approval?

A No. That would have been an obligation of the licensee.

Q We'll get into this in more detail later, but you did at times discuss traveling to Moscow with Mr. Sater, correct?

A I was asked to go to Moscow on many occasions by many different people, actually.

Q Now, I asked you questions earlier about discussions with Mr. Trump in October of 2015 about Mr. Sater's proposal. Did you speak with anyone else from The Trump Organization about this in October of 2015?

A Not that I recall.

Q Any conversations with Ivanka Trump?

A In October of 2015? Not that I recall.

Q With Donald Trump, Jr.?

A Again, not that I recall.

Q All right.

Chairman Schiff?

THE CHAIRMAN: I know we're probably going to cover this later on, but just to clarify, Mr. Cohen, you've testified that you didn't have conversations with

UNCLASSIFIED

Mr. Sater about getting Kremlin approval, but at some point did you discuss with Mr. Sater reaching out to Dimitry Peskov for his assistance with making this project happen?

MR. COHEN: Yes.

THE CHAIRMAN: And we'll get into that later on, but I just wanted to clarify that.

Any other questions?

Mr. Swalwell.

MR. SWALWELL: Did Mr. Sater have a Trump Organization business card?

MR. COHEN: At one time, yes.

MR. SWALWELL: How would that happen if he wasn't working for The Trump Organization?

MR. COHEN: So his card stated -- I believe it said "Senior Advisor."

MR. SWALWELL: Was he actually a senior advisor?

MR. COHEN: His card said so.

MR. SWALWELL: When you initiated the 2015 Trump Tower Moscow project and you discussed that with Mr. Trump, was there any discussion about his prior efforts to go into Moscow? Did you have that frame of reference or did you discuss that at all as you started to stand up this new project?

MR. COHEN: Didn't really have that discussion, in terms of the priors. I knew priors existed, but there was -- I can't recall a conversation on it.

Can I clarify something, though? You asked me about whether Don Jr. and Ivanka knew about the project. They knew about the project after the execution of the LOI. I just don't recall the conversation and the exact date

UNCLASSIFIED

because it's so close to November. I'm just trying to -- I'm just trying to be right. So I don't know if the conversation was November, which would've been 3 days later. I don't know which one was there or not. But everybody knew about it at the time of the execution of the LOI.

Sorry.

THE CHAIRMAN: Mr. Maloney.

MR. MALONEY: Mr. Cohen, you testified that these conversations started in October 2015. Of course, that's 3 months after Mr. Trump has announced for President. Did that strike anyone as unusual?

MR. COHEN: I don't know about anybody else. For me, I didn't think about it because, one, I wasn't part of the campaign, and, two, I never thought he was going to win. So it was just going to be a great project for the company, and it would've been a great project for me to be involved with.

MR. MALONEY: And so I take it you had no conversations with Donald Trump or anyone else about --

MR. COHEN: The political side?

MR. MALONEY: -- the fact that there was a Presidential campaign going on and a major real estate deal being launched at the same time?

MR. COHEN: No. No, not about the political side to it. We only spoke about the real estate aspect.

THE CHAIRMAN: Mr. Quigley.

MR. QUIGLEY: Good morning. Thank you for being here.

As this proposal was beginning, you talked about having Mr. Sater look at the local issues. Did you at that point or at some point come to terms with the fact that there were sanctions in place that might impair the deal going forward?

MR. COHEN: No.

MR. QUIGLEY: Were you aware or did you become aware later on of the sanctions that were imposed on the Russians that might impair the deal going forward?

MR. COHEN: I'm not even aware as I sit here today of what sanctions would stop a deal like this.

MR. QUIGLEY: Well, sanctions on a bank, for example, that might finance it.

MR. COHEN: So the answer is no. And the reason why is because, again, Trump Organization would have absolutely no financial obligation regarding the construction of this property. So who the local licensee uses, that's their business. This is merely a license deal. There's tremendous economics in it for him, but he is under no obligation financially for anything, no performance guarantees. There's no financial obligations to Trump or The Trump Organization at all.

MR. QUIGLEY: And I'm sorry, I just want to clarify. So you don't believe that, because of that, that the sanctions, in your mind, would have impaired the project?

MR. COHEN: I don't believe so, no.

MR. QUIGLEY: Okay. Thank you.

THE CHAIRMAN: Mr. Heck.

MR. HECK: Thank you, Mr. Chairman.

Mr. Cohen, was there any part of your compensation that was incentive-based with respect to deal completion, i.e., bonus payment, revenue stream, equity?

MR. COHEN: So there's no equity that Mr. Trump gives to any of the employees.

As far as bonus, no. Bonus is discretionary upon him. It generally was the same year after year after year. I mean, you have to do something super-extraordinary, like something like this tower, for it to go anywhere north. But no.

[10:36 a.m.]

MR. HECK: Was there any understanding on your part that if you did bring the deal to completion, that you would be rewarded or compensated above and beyond what you otherwise were given to believe?

MR. COHEN: By Mr. Trump or The Trump Organization?

MR. HECK: Yes.

MR. COHEN: No. However, one thing, when Felix had come up with the strategy of having the penthouse given to the President, to President Putin, I said: I want to buy the apartment directly underneath. I'm putting that in the deal. I want to own that so I can sell it to one of the oligarchs for like a billion dollars, which was part of the joke.

MR. HECK: Mr. Chairman, I'm assuming we're going to get into the condo at some point later.

THE CHAIRMAN: Yes.

MR. HECK: Thank you.

MR. MITCHELL: Sir, is there anything you want to clarify?

MR. COHEN: No. No.

[Discussion off the record.]

MR. COHEN: That -- what, that Mr. Trump knew that Putin ultimately knew about the deal? Yes, that's part of the much later communications.

MR. MITCHELL: And we'll get into that later.

MR. COHEN: Yes, that's what I just said.

MR. MITCHELL: Sir, you have a binder in front of you with some exhibits. At various times during today's testimony, we're going to ask you to turn to a particular tab, and we're going to go over a particular document.

We'd ask --

MR. TURNER: Can we have copies of those?

MR. MITCHELL: As documents are introduced, we will provide copies to members of the minority. I would ask that you not --

MR. TURNER: Just to clarify the record, you are not going to give us copies of the binder so we can look at the documents that you've just put in front of him and review them while he's reviewing them? You're only going to give them to us as you refer to them?

MR. MITCHELL: As soon as a document is referred to and introduced --

MR. TURNER: Well, then the answer is yes, right? You all have documents. He has a document. He has a binder. And you're not giving us a copy of the documents in his binder currently?

MR. MITCHELL: You are getting copies of the document that is being introduced at this time.

MR. TURNER: Just say yes, because what you are doing is you are saying you have given him a binder of documents that you're not letting us see.

MR. MITCHELL: That is correct.

MR. GOLDMAN: And we're asking him not to look ahead in his binder, because --

MR. TURNER: How do you know he hasn't? You didn't ask him. It's highly unusual to hand a witness a binder of documents and have only the majority side have those documents and us not have them.

THE CHAIRMAN: Mr. Turner, I'll just make a couple points. All of the documents you had access to. They've been provided to your --

MR. TURNER: We have thousands of documents. I'm supposed to

ascertain what ones are in front of him?

THE CHAIRMAN: You don't have thousands of documents from Mr. Cohen.

DR. WENSTRUP: May I suggest you take his binder away right now and you give him these documents as we get them, if you want to have the appearance of being upfront. I'm not a lawyer, but --

THE CHAIRMAN: Dr. Wenstrup, you've been here for 2 years, in which you never extended a courtesy like that to us. But I will tell you this, I will tell you this --

DR. WENSTRUP: I don't remember having a binder like that that we gave to the witness.

THE CHAIRMAN: You had ample --

DR. WENSTRUP: You give me one example where we gave a binder to a witness that you didn't get.

THE CHAIRMAN: We can give you plenty of examples, which, whether they were in a binder or not, you gave dozens of documents to a witness to go through.

DR. WENSTRUP: So, if it's wrong then, you say it's right now.

THE CHAIRMAN: Dr. Wenstrup, I am going to make you a commitment. I'm going to make you a commitment. We are going to treat you far better than you treated us in the minority. We're going to be far more respectful. And, indeed, we already have because, Dr. Wenstrup --

DR. WENSTRUP: This just doesn't seem right is all I'm saying.

THE CHAIRMAN: If I can finish. Because we gave you these documents days in advance, a courtesy you rarely extended to us.

UNCLASSIFIED

Just so you know, Mr. Ratcliffe, you're new to the committee, so you're not familiar with the history, but the history is we would rarely get any advance notice of a witness coming in or of documents in advance. And there were often occasions where documents were dumped in the system even without letting us know there were documents there. That's the history.

So we have already demonstrated far more courtesy to you than was extended to us. And we will continue to. We will continue to. And we will discuss the documents with this witness during votes to try to accommodate your request, but I want to make it clear that the courtesy you're asking from us was never extended to us. But we will do better.

MR. CONAWAY: Would the gentleman yield?

THE CHAIRMAN: Yes.

MR. CONAWAY: So you said "never" and "rarely." Those don't comport. And you have an opinion that you've stated for the record. I would like to state an opinion also for the record that our perspective is we did not treat you as badly as the way we were treated. So, again, opinion on opinion. I don't think we're here to hear you and I yapping at each other.

THE CHAIRMAN: I completely agree.

MR. CONAWAY: These gratuitous criticisms of the way I handled the investigation, I'll just argue that that's not my recollection of it.

THE CHAIRMAN: And I fully agree we should continue. Time has expired.

MR. GOLDMAN: Do you want to restore some time after that discussion, or should we move on?

THE CHAIRMAN: Yes. Where were we before we began the debate?

UNCLASSIFIED

MR. MITCHELL: We were about to ask some questions about exhibit No. 2. But I can ask a handful of questions before we get to that and then you can decide whether to go forward or --

THE CHAIRMAN: Why don't we do this: We'll ask some questions without reference to the exhibit, and we can make copies of exhibits for you while we go vote because votes are fairly imminent. All right?

Mr. Mitchell, you can proceed.

MR. MITCHELL: Thank you.

BY MR. MITCHELL:

Q Mr. Cohen, you came in today and you had a binder in front of you. Is that right?

A Yes.

Q And do you still have that binder in front of you?

A I don't.

Q Did you go through that binder this morning?

A No.

Q At any time, were you handed a copy of this binder prior to you coming in today?

A No.

THE CHAIRMAN: Mr. Ratcliffe.

MR. RATCLIFFE: Thank you.

Mr. Cohen, my name is John Ratcliffe. I've got some questions for you today. You testified before this committee on October 24th of 2017 under subpoena. You're testifying here today voluntarily. Whose idea was it for you to testify?

MR. COHEN: Whose idea was it? I received a request from the chairman to come and to appear, and I accepted.

MR. RATCLIFFE: Are there any restrictions on your testimony today?

MR. COHEN: I've been asked by the Southern District of New York certain matters not to discuss because there are investigations pending. But short of that, no.

MR. RATCLIFFE: Any restrictions placed on you by the special counsel?

MR. COHEN: The answer to that is no.

MR. RATCLIFFE: Neither of your former attorneys during your October 24th, 2017, interview are representing you here today, correct?

MR. COHEN: Correct.

MR. RATCLIFFE: Does Mr. Ryan still represent you?

MR. COHEN: No, sir.

MR. RATCLIFFE: Does Mr. Petrillo still represent you?

MR. COHEN: No, sir.

MR. RATCLIFFE: Did you have an opportunity to review your prior transcript?

MR. COHEN: I have not read the prior transcript, no, but I have been given certain notes, yes.

MR. RATCLIFFE: Parts of your prior testimony before this committee --

MR. COHEN: I'm sorry. Hold on a second. Let me rephrase that. The answer is yes, I did review the transcript. I was confusing the Senate one. I'm sorry. Let me take that back. The answer is yes; I reviewed it.

MR. RATCLIFFE: Parts of your prior testimony before this committee and before the Senate Select Committee on Intelligence were the basis of 18 U.S.C.

UNCLASSIFIED

1001 felony charge to which you pled guilty on November 29th of 2018, correct?

MR. COHEN: Correct.

MR. RATCLIFFE: Do you understand that the same penalties would apply to any false testimony that you give to this committee today?

MR. COHEN: Yes.

MR. RATCLIFFE: Do you understand that those same penalties would apply to any false testimony that you may have given to the House Oversight Committee yesterday?

MR. COHEN: Yes.

MR. RATCLIFFE: Or to the Senate Select Committee on Intelligence on Tuesday?

MR. COHEN: Yes.

MR. RATCLIFFE: And have your lawyers or anyone explained to you that, notwithstanding your prior guilty plea, that you still have a Fifth Amendment right against self-incrimination as to any additional or future crimes for which you have not been charged?

MR. COHEN: Yes.

MR. RATCLIFFE: And having been apprised of those Fifth Amendment rights, it is still your desire to nevertheless provide testimony voluntarily today?

MR. COHEN: Yes, though I'll still maintain I have a Fifth Amendment right.

MR. RATCLIFFE: As I've just pointed out. Have you discussed your anticipated testimony with Mr. Schiff or other members of -- any other members of this committee?

MR. COHEN: I'm sorry. I don't understand the question you're asking.

MR. RATCLIFFE: Did you have a discussion with Mr. Schiff or any other

UNCLASSIFIED

members of this committee about the testimony that you are providing today?

MR. COHEN: Members? Just as I stated previously, with Mr. Schiff.

MR. RATCLIFFE: And you stated previously that you had a conversation with Mr. Schiff, who you said asked you to appear and expressed his displeasure in how you had been treated, correct?

MR. COHEN: Yes.

MR. RATCLIFFE: Yesterday, your testimony under oath was that you had a conversation with Mr. Schiff about topics of your testimony.

MR. COHEN: And I said that as well about appearing, which has to deal with topics.

MR. RATCLIFFE: So what topics did you discuss with Mr. Schiff?

MR. COHEN: Moscow. Everything that we're going to be going through today.

MR. RATCLIFFE: So how long was your conversation with Mr. Schiff?

MR. COHEN: Under 5 minutes.

MR. RATCLIFFE: Is that your answer, or is that Mr. Davis' answer?

MR. COHEN: He was on the phone with us.

MR. RATCLIFFE: What do you recall Mr. Schiff saying to you about topics that would be covered?

MR. COHEN: I don't recall specifically. I -- all the topics that we're going to be talking -- Moscow, my -- Felix Sater, the things that we're going to be talking about today.

MR. RATCLIFFE: Did you give him any indication of what your testimony would be on those topics?

MR. COHEN: Not that I recall.

MR. RATCLIFFE: Did he ask you about your prior testimony before this committee?

MR. COHEN: Not that I recall.

MR. RATCLIFFE: You mentioned earlier that you had four conversations with members of this committee staff, correct?

MR. COHEN: Yes.

MR. RATCLIFFE: Were all of those conversations with members of the majority staff?

MR. COHEN: They were with --

MR. RATCLIFFE: The Democratic staff?

MR. COHEN: I believe so, yes.

MR. RATCLIFFE: All right. Give me as much information as you can about when those four conversations took place.

MR. COHEN: I don't have the specific dates, sir. I mean, I'm not a walking calendar. I apologize. I don't. Within the last -- within the last 2 months.

MR. RATCLIFFE: Four separate occasions?

MR. COHEN: On four separate occasions. I believe it was four.

MR. RATCLIFFE: To the best of your recollection, how long did any of those four occasions, conversations last?

MR. COHEN: Two hours.

MR. RATCLIFFE: A total of 2 hours?

MR. COHEN: One was 1 hour. No, no. I'm not sure exactly in total.

MR. RATCLIFFE: I'm asking to the best of your recollection. So the best of your recollection, in summary, you're saying you had 2 hours of conversation?

MR. COHEN: All four? You want all four or you want individual?

MR. RATCLIFFE: All four.

MR. COHEN: Four or 5 hours in total, or something like that.

MR. RATCLIFFE: In -- 4 or 5 hours of preparation for the testimony that you were providing today, correct?

MR. COHEN: Yes.

MR. RATCLIFFE: All right. In those 4 to 5 hours, to the best of your recollection, what did you discuss with the Democratic staff of this committee?

MR. COHEN: Do you have a specific question? What did I discuss? We discussed the topics that were being looked at, that this committee has interest in, and information that I may have to be able to provide some clarity.

MR. RATCLIFFE: And in 4 to 5 hours, did you discuss so far some of the same topics that we've covered in the first hour of your testimony?

MR. COHEN: We really haven't covered much. I've been covering this Trump Tower Moscow thing for a long time. We talked about that. We also talked about financial records that came into my possession.

MR. RATCLIFFE: And so did that -- in those 4 or 5 hours, did that include members of the Democratic staff asking you questions about your knowledge about these transactions like the Trump Tower Moscow project?

MR. COHEN: There was back-and-forth conversation, yes.

MR. RATCLIFFE: So you did give an advance summary of what your testimony was going to be today?

MR. COHEN: I don't know if I would call it an advance summary, sir. We had conversation.

MR. RATCLIFFE: You gave 4 to 5 hours of detail regarding your

UNCLASSIFIED

knowledge in back-and-forth conversations with members of the Democratic staff of the House --

MR. COHEN: Again, sir, we had conversation. I don't know if I would say it was detailed. We also went over the transcript, which was quite long.

MR. RATCLIFFE: So, now, a little bit more about the specifics of how those 4 to 5 -- four meetings over 4 to 5 hours took place. Did any of them take place in person?

MR. COHEN: Yes.

MR. RATCLIFFE: How many?

MR. COHEN: All of them took place in person.

MR. RATCLIFFE: Where did they take place?

MR. COHEN: In New York.

MR. RATCLIFFE: Members of the Democratic staff traveled to New York to meet with you to discuss your testimony before this committee today for 4 to 5 hours? Is that your testimony under oath?

MR. COHEN: I'm sorry?

MR. RATCLIFFE: Members of the Democratic staff traveled to New York and met with you for 4 to 5 hours to discuss your testimony prior to today? Is that your testimony under oath?

MR. COHEN: What I said was I met with them in New York. I don't know where they traveled from. I met with them in New York.

MR. RATCLIFFE: I believe they've called votes. Can you mark the time so I can resume immediately after votes?

Before we adjourn, Mr. Stewart has one question.

THE CHAIRMAN: We're not adjourning. We can continue until we get a

UNCLASSIFIED

UNCLASSIFIED

little closer. We have a long day ahead of us, so we should make use of as much time as we can.

MR. RATCLIFFE: Mr. Stewart, you have one question?

MR. STEWART: One question to follow up on this, Mr. Cohen. In regards to this before we break, in these 4 to 5 hours of conversations in person with members of Democratic staff or, in some cases, the chairman, would you say you were better prepared for this testimony than you were before you had those conversations?

MR. COHEN: I was in preparation for three hearings. I had one Tuesday, one yesterday, and one today, and you're all covering the exact same topic.

MR. STEWART: I understand. I'm just asking --

MR. COHEN: I also just would like to make clear that I asked them to come to New York because I had just come out of surgery --

MR. DAVIS: I don't think the witness finished.

MR. COHEN: I had just come out of surgery, and I had asked them to come to me because I could not travel.

MR. STEWART: And it's of little interest to me, I think, whether you met here or in New York. The fact that you met is the most important thing to me and I think to members.

Would you say that you are better prepared for your testimony having met with these individuals than you would have been otherwise?

MR. COHEN: Yes.

MR. STEWART: Is it fair to say that they helped you prepare your testimony?

MR. COHEN: No. I read through the transcript, so I'm better prepared.

UNCLASSIFIED

MR. STEWART: But those meetings helped prepare you for these hearings?

MR. COHEN: Sir, I had the transcript. I was preparing myself. I'm not adopting their answers; I have my own.

MR. STEWART: You did say yes, so I'll leave it at that.

MR. DAVIS: He just modified -- you have to stop interrupting and give the witness courtesy. Finish your answer.

MR. COHEN: Okay. I was using my prior testimony in order --

THE CHAIRMAN: Members, please, let's allow the witness to finish his answer.

MR. COHEN: I was using the prior testimony in order to prepare myself, along with the information that I had for the other two hearings in preparation for this.

MR. RATCLIFFE: Mr. Cohen, did the meetings that you had that you've represented, were those meetings with Democratic staff members of this committee?

MR. COHEN: Yes.

MR. RATCLIFFE: Did it include members of the staff or members of other congressional committees?

MR. COHEN: My belief, it was the staff.

MR. RATCLIFFE: Of committees besides the Intelligence Committee?

MR. COHEN: Of this committee.

MR. RATCLIFFE: Only of this committee?

MR. COHEN: Yes.

MR. RATCLIFFE: I'm going to --

MR. COHEN: Did you ask me if I had also spoken with other House committee members or staff? The answer is yes, I've spoken with other committees as well.

MR. RATCLIFFE: All right. Tell me about those meetings.

MR. COHEN: I spoke with staff for the House Oversight as well.

MR. RATCLIFFE: The Democratic staff?

MR. COHEN: Yes.

MR. RATCLIFFE: How about for the Senate Select Committee on Intelligence?

MR. COHEN: I don't believe so.

MR. RATCLIFFE: The conversations you had with the House Oversight majority staff, how many meetings did you have with them? If you don't know, you can --

MR. COHEN: I apologize. I don't know. I don't recall.

MR. RATCLIFFE: Were those meetings separate and apart from the four meetings that you've identified today that took place with the majority staff of the House Select Committee on Intelligence?

MR. COHEN: Yes.

MR. RATCLIFFE: How long, in aggregate, did the meetings with the House Oversight staff committee last?

MR. COHEN: I don't recall. A couple of hours.

MR. RATCLIFFE: And did those meetings, to the best of your recollection, take place in person?

MR. COHEN: I believe that they were by phone.

MR. RATCLIFFE: Do you recall what -- I'm sorry?

Mr. Cohen, in your plea agreement with the special counsel regarding lying to Congress, you admitted that you lied to three areas, in regards to three areas before this committee and the Senate Select Committee on Intelligence. Those three areas are the time of your discussions surrounding the Trump Tower Moscow project, when they ended; your agreement or willingness to travel to Russia in furtherance of that deal; and the fact that you received a response to an inquiry that you made to a Kremlin spokesperson. Is that an accurate summary?

MR. COHEN: If that's what it states in the document. I don't have it to --

MR. RATCLIFFE: Would you like to review it?

MR. COHEN: I would.

MR. RATCLIFFE: Have your criminal information?

MR. COHEN: Sure. So I don't have to read the whole thing, can you identify?

MR. GOLDMAN: Mr. Ratcliffe, would you mind introducing it into the record? If it's okay with the minority --

MR. RATCLIFFE: I'm happy to offer it. I offered it because the witness asked to use it to refresh his recollection, which is why I'm providing it to him. But if you're asking me to introduce it as an exhibit, I'm also happy to do that.

MR. GOLDMAN: That's up to you. We'll talk at the break.

MR. RATCLIFFE: I don't need to introduce it as an exhibit, but I'm happy to let the witness use it for his recollection.

MR. GOLDMAN: Okay.

MR. RATCLIFFE: Mr. Cohen, you've had a chance to review the document. Did I provide an accurate summary of the plea agreement that you made with the special counsel regarding areas in which you were charged and

admitted lying to Congress?

MR. COHEN: Yes.

MR. RATCLIFFE: Is there anything else the Special Counsel's Office claimed that you lied about for which you have not been charged?

MR. COHEN: Not that I'm aware of.

THE CHAIRMAN: Mr. Ratcliffe, there are 5 minutes remaining on the vote. I don't know if there's an appropriate breaking point for you, but --

MR. RATCLIFFE: This is fine for members. I'm happy to recess.

THE CHAIRMAN: Okay. Why don't we recess here? We'll come back immediately following votes.

[Recess.]

[12:15 p.m.]

THE CHAIRMAN: Okay, we're going to go back on the record.

A couple things before we do. As you might expect after 2 days of full testimony, Mr. Cohen is pretty exhausted. We are going to go until 5 o'clock today. Mr. Cohen has agreed to come back on March 6th, because we don't think we'll get through our questions by 5:00. So we'll make sure that we divvy up the time equally between now and then.

And I want to remind my colleagues also, it's perfectly appropriate for staff to meet and have proffer sessions with witnesses. And I'm sure those of you that were former prosecutors did the same with witnesses to prepare for their testimony.

And, with that, Mr. Ratcliffe or --

MR. COHEN: I'm sorry, Mr. Chairman, can I -- I would like just to correct the record or at least expand upon it. When I was asked how many hours --

THE CHAIRMAN: Yes.

MR. COHEN: -- I had met with staff from the Democratic side, I interpreted that question to mean approximately how many hours did you speak with them.

I want to just be clear that directly after my surgery, my shoulder surgery, I was unable to come to D.C., and I asked for the courtesy, because I wanted to read my prior testimony. So they brought the testimony to me. And we probably were in the same room together for about 12 hours, but only speaking for 5 or 6 hours, but we were in the same room.

So I wanted just to be accurate for the record.

THE CHAIRMAN: Thank you, Mr. Cohen.

Mr. Ratcliffe.

MR. RATCLIFFE: Thank you, Chairman.

So, to clarify, you had four meetings with the majority staff where you were together for a total of approximately 12 hours but spent approximately 4 to 5 hours discussing --

MR. COHEN: About half of it was in conversation, and approximately 12 hours or so.

MR. RATCLIFFE: Fair enough.

Mr. Cohen, when we left, I had requested that you review your plea agreement, and I had summarized the three areas of testimony before this committee and the Senate Select Committee on Intelligence that you were charged with by the special counsel as being untruthful testimony. You related that I had accurately summarized that, correct?

MR. COHEN: I did, correct.

MR. RATCLIFFE: And then I asked you whether or not there was anything else about the Special Counsel's Office that you were aware of where they claimed that you lied or had not yet been charged, and you told me that --

MR. COHEN: That I am unaware.

MR. RATCLIFFE: I asked you those questions because you were charged with lying about three specific areas in your prior testimony, yet you obviously testified about a great deal more than that back in October of 2017 before this committee. So maybe a good place for me to start about what is truthful about your prior testimony and confirm what truthful statements you previously made.

So I would like to start by asking you about prior statements that you made about the lack of collusion, conspiracy, or coordination between Donald Trump or his campaign and the Russian Government, for which I assume were true because

the special counsel did not charge you, but I think we need to go through those.

MR. COHEN: So --

MR. MONICO: Congressman, are you going to refer to his prior testimony?

MR. RATCLIFFE: I am.

MR. COHEN: Can I have a copy of the --

MR. RATCLIFFE: You absolutely may.

MR. COHEN: Thank you.

MR. RATCLIFFE: We'd like to enter that as HPSCI minority exhibit 1 and let Mr. Cohen review it while I ask him questions.

[Cohen Exhibit No. 1

was marked for identification.]

MR. RATCLIFFE: Are you ready, Mr. Cohen?

MR. COHEN: In 10 seconds, please.

Yes.

MR. RATCLIFFE: So, at the bottom of page 49, Mr. Gowdy asked you to provide a definition of the meanings of the words "collusion," "conspiracy," and "coordination."

And you provided the statement on the top of page 50: "'Collusion' I would define as working with at least one additional individual for the purpose of effectuating a result. 'Conspiracy,' I would add that they knew what they were intending to do was improper. And 'coordination,' I would say that you facilitated in some act to create the collusion."

Can we accept those definitions, or do you feel the need to redefine those?

MR. COHEN: Seems okay.

MR. RATCLIFFE: Okay. So let me ask you this question, Mr. Cohen: Do you have any information or evidence of collusion between then-Presidential candidate Donald Trump and the Russian Government to either interfere with or influence the GOP primary in 2016 or the general election in 2016?

MR. COHEN: So information that I provided, whether it was yesterday or to the Senate Select, when we're referring to evidence of collusion, statements that I had made is suspicion of collusion as opposed to direct evidence.

MR. RATCLIFFE: So was your statement to the Oversight Committee a fair summary, both in writing and orally, of what you believe those suspicions to be?

MR. COHEN: Which statement are you referring to?

MR. RATCLIFFE: The statement that you gave as an opening remark to which you further commented on before the Oversight Committee yesterday.

MR. COHEN: I don't know specifically. The statement obviously -- you're talking about yesterday's statement?

MR. RATCLIFFE: Yes.

MR. COHEN: It was 25 minutes long. You can refer to what you're --

MR. RATCLIFFE: Absolutely. On page 17 of your statement -- and I'll read it for you, if you'll accept my representation that I'm reading it accurately.

MR. MONICO: Is it yesterday's transcript, sir?

MR. RATCLIFFE: Yesterday's testimony that you all submitted.

MR. GOLDEN: Are you introducing this --

MR. RATCLIFFE: I'm going to read the testimony and ask the witness whether or not this is what he's referring to.

MR. RATCLIFFE: On page 16 of your written statement before the

Oversight Committee yesterday, at the bottom, it reads, quote: "Questions have been raised about whether I know of direct evidence that Mr. Trump or his campaign colluded with Russia. I do not. I want to be clear. But I have my suspicions."

MR. COHEN: I acknowledge that statement, yes.

MR. RATCLIFFE: All right.

And then would you also acknowledge that, on the following page, the sum and substance of those suspicions relate to conversations that occurred in 2016 and 2017, as you recall, including Don Jr. and the President?

MR. COHEN: I'm so sorry, sir. Say that again, please. I don't know if there was a question in that.

MR. RATCLIFFE: Yeah. The question was I want to find out what your suspicions were. And the only suspicions that you identify in your written statement or in your testimony yesterday was about a meeting that took place where you were called a year after it occurred. It was reported that Don Jr. had a meeting in Trump Tower, and you had the recollection that a year before that he had had a conversation where you alleged to have overheard Don Jr. saying, the meeting is all set, and the President saying, okay, good, let me know.

MR. COHEN: Okay. That's not accurate. What I said was that I had suspicions. And, yes, one of them was the Don Trump, Jr., conversation with Mr. Trump. There was another one regarding the Roger Stone telephone call that I was in Mr. Trump's office at the time. The third one was when I was with Alan Garten in my office at Squire Patton Boggs. And the fourth one was continuing the party line on the communication. Yes, when I testified.

MR. RATCLIFFE: And so would that have been information that the

UNCLASSIFIED

special counsel was aware of, or did you only share it with Members of Congress?

MR. COHEN: I don't recall. I spent 70 hours with the special counsel.

They asked me everything and --

MR. SWALWELL: Seventeen or 70?

MR. COHEN: Seven-zero. That means we talked about a lot.

MR. RATCLIFFE: So what I'm trying to find out, Mr. Cohen -- and I have a series of questions, statements that you made under oath, for which you have not yet been charged. I'm trying to determine whether or not these are still truthful statements, according to you under oath today, whether they were asked before or not.

So my question to you is -- and I would like an answer -- do you have information or evidence of collusion between then-Presidential candidate Donald Trump and the Russian Government to either interfere with or influence the GOP primary in 2016 or the general election in 2016?

MR. COHEN: So --

MR. DAVID: Excuse me. It's been asked and answered.

MR. RATCLIFFE: He hasn't answered it.

MR. COHEN: I did, actually. And you read it into the record. You read it into the record. I stated -- and I was clear about it -- that I have no direct evidence of collusion between Mr. Trump, the campaign, or Russia.

What I stated was that there were suspicions, and I enumerated them. And I just did it again for you before. The Don Jr. conversation, the Roger Stone conversation, the Alan Garten meeting, as well as the party line.

MR. RATCLIFFE: So you would --

MR. COHEN: I stand by my statement.

UNCLASSIFIED

MR. RATCLIFFE: Well, your answer in 2017 before this committee was: "No, sir." So I want to find out --

MR. DAVIS: Excuse me. What's the entire answer, sir?

MR. RATCLIFFE: The answer is "no, sir."

MR. DAVIS: The question that produced the "no, sir" was the word "direct evidence."

MR. COHEN: No, there's no -- "Do you have any information, evidence of collusion?" We were not talking about -- we're talking the difference between direct evidence or what I stated, which was suspicion.

MR. DAVIS: Okay. So you made the distinction, which I would appreciate the Congressman --

MR. COHEN: Well, we just put it on the record. It was the difference between my suspicion, which is what -- yes.

MR. RATCLIFFE: All right. Do you have any evidence or information of coordination between then-Presidential candidate Donald Trump to interfere with or influence the 2016 primary or general election?

MR. COHEN: And can I ask you to please insert the word "direct" before evidence?

MR. RATCLIFFE: No, I'm asking you about the statement that is as read.

MR. COHEN: I have no direct evidence of any information of coordination between then-Presidential candidate Donald Trump to interfere with or influence the 2016 primary or general election.

MR. RATCLIFFE: Okay. So I want to be real clear with you, Mr. Cohen, because words matter.

MR. COHEN: Yes.

MR. RATCLIFFE: I'm sorry, Mr. Davis?

MR. DAVIS: I said to myself, Counsel, that we spent yesterday, over and over again, my client saying that he lied and was charged. And for you to remind him again and again of the consequences if he lies again is a borderline harassment technique that I object to.

MR. RATCLIFFE: Well, Mr. Davis, so that we're real clear, that's the reason that I went over the three areas that he was charged with.

MR. DAVIS: Correct. Right.

MR. RATCLIFFE: I'm asking about statements that he made under oath for which he has not yet been charged. I want to find out if those are truthful statements or not.

MR. DAVIS: Fair enough.

THE CHAIRMAN: I thank both gentlemen. I just think we should be careful to suggest "not yet been charged," which is essentially alleging that he will be charged. And I know that may not be your intention, but I think we should be careful about that.

MR. RATCLIFFE: I appreciate the edification.

So, again, do you understand the question, Mr. Cohen? Would you like me to repeat it?

MR. COHEN: I don't know if there was a question.

MR. RATCLIFFE: Do you have any evidence or information of coordination between then-Presidential candidate Donald Trump to interfere with or influence the 2016 primary or general election?

MR. COHEN: And I already answered that question. I have no direct evidence of any information of coordination between then-Presidential candidate

Donald Trump to interfere with or influence the 2016 primary or general election.

MR. RATCLIFFE: And is that true with regard to collusion?

MR. COHEN: I have no direct evidence of any collusion.

MR. RATCLIFFE: Is that true with respect to coordination?

MR. COHEN: I have no direct evidence of any coordination between then-Presidential candidate Donald Trump to interfere with or influence the 2016 primary or general election.

MR. RATCLIFFE: And is that true with respect to conspiracy?

MR. COHEN: I also have no direct evidence of any conspiracy between then Presidential candidate Donald Trump to interfere with or influence the 2016 primary or general election.

MR. RATCLIFFE: All right.

So now I'm going to ask you the same questions as it relates to his official campaign. Do you have or are you aware of any evidence, regardless of source, of any collusion between the campaign of Donald Trump and the Russian Government?

MR. COHEN: Do I have any suspicion?

MR. RATCLIFFE: No. Do you have any evidence?

MR. COHEN: I have no direct evidence of any.

MR. RATCLIFFE: The same question with regard to any evidence regarding coordination by the campaign.

MR. COHEN: I have no direct evidence of any coordination.

MR. RATCLIFFE: The same question with regard to any evidence regarding conspiracy as it pertains to the Trump campaign and the Russian Government.

MR. COHEN: I have no direct evidence of any.

MR. RATCLIFFE: You were asked by Mr. Gowdy about a statement where you said -- and, actually, let me hand to you -- actually, before I do that, let me ask you this.

Earlier today, I want to make sure that I heard you say correctly that, in response to a question from Mr. Mitchell, whether Donald Trump had ever expressed interest in doing projects in Russia, and your testimony, as I heard it, was "a handful of times." Do you recall that?

MR. COHEN: Yes.

MR. RATCLIFFE: Is that accurate?

MR. COHEN: I recall conversations where Mr. Trump would, yes, say that -- it wasn't just Russia; it was anywhere. I've spoken to Mr. Trump about doing a potential project in Romania or in Italy. So --

MR. RATCLIFFE: But my question is -- why I'm trying to get to it -- because, again, words matter -- is whether or not, in response to the question about --

MR. MONICO: Page and line, please.

MR. COHEN: No, this is from this morning.

MR. RATCLIFFE: This is from today in response to a question from Mr. Mitchell, whether or not you had ever heard Mr. Trump express interest in doing a project in Russia during your time with The Trump Organization, and you said "a handful of times."

MR. COHEN: Yes. And I stand by the statement.

MR. RATCLIFFE: All right. And you started with the company in 2007.

MR. COHEN: Correct.

MR. RATCLIFFE: And the Trump Tower project, discussions about that actually began in earnest in or around 2015?

MR. COHEN: Yes.

MR. RATCLIFFE: All right.

And you also testified that you were with Mr. Trump during your tenure at The Trump Organization almost every day?

MR. COHEN: Yes.

MR. RATCLIFFE: And sometimes with him sometimes 10 to 20 times a day.

MR. COHEN: Yes.

MR. RATCLIFFE: So is it your testimony that, from 2007 to 2015, as you were with Mr. Trump almost every day, sometimes 10 to 20 times a day, that you heard him express interest in doing a project in Russia a handful of times?

MR. COHEN: Correct.

MR. RATCLIFFE: Okay.

MR. COHEN: That's excluding the Trump Tower Moscow project.

MR. RATCLIFFE: So I'm going to hand to you a copy of -- and anyone that needs a copy -- of a letter that you submitted to this committee on August 14 of 2017.

[Cohen Exhibit No. 2

was marked for identification.]

THE CHAIRMAN: If I could just interrupt for a moment. We provided all the exhibits to the minority, upon your request. We were not provided any exhibits, I don't believe, until now from the minority in return. Are there other exhibits you plan to put before the witness? If so, I would ask that you show

reciprocity and provide those to us.

MR. RATCLIFFE: Again, I'm only -- I'm happy to just have the witness refer to these, as your counsel requested. I can or don't have to make them exhibits. It was not my intention to make them exhibits, but that was the first request from your counsel today, so I'm obliging that.

I don't have intentions for other exhibits, but if every document that the witness wants to review should be made an exhibit, I'm happy to do that.

THE CHAIRMAN: I'm less concerned about whether they're entered as exhibits, but if there are documents you intend to put before the witness, if you could provide those, the way we have provided ours to you, that's what we'd ask.

MR. RATCLIFFE: I have no objection to that.

MR. BITAR: To be clear, the totality of those documents.

MR. RATCLIFFE: So, in your prior testimony, Mr. Cohen, you were unequivocal with regard to your references as it pertained to what has been referred to as the dossier or the Steele dossier.

And, in fact, your prior counsel submitted a letter to this committee about which you were asked during your prior testimony. And, again, I want to review that to determine which of the statements that you previously made about this remain truthful.

MR. COHEN: Okay.

MR. RATCLIFFE: On page 56, Mr. Gowdy asked you whether or not you were aware of any facts attributed to you, any actions attributed to you to be accurate, as it pertained to the dossier, and your answer was "no, sir." Was that a truthful answer?

MR. COHEN: Yes.

MR. RATCLIFFE: All right.

So, in your letter, I'm going to refer you to the second page. I want to walk through some of those allegations to confirm, in fact, that none of these allegations are truthful.

The first one, the allegation from the dossier that Kremlin insider reports Trump lawyer Cohen's secret meeting with Kremlin officials in August 2016 was/were held in Prague.

Your prior testimony that this was false, was that a false statement?

MR. COHEN: It is a false statement.

MR. RATCLIFFE: All right.

The next allegation, that Rossotrudnichestvo was being used as cover for this relationship, and its office in Prague may well have been used to host the Cohen Russian Presidential administration meetings.

Is that a false statement?

MR. COHEN: That's a false statement.

MR. RATCLIFFE: All right. And, again, you testified yesterday that you've never been to Prague.

MR. COHEN: I've never been to Prague.

MR. RATCLIFFE: All right. And that you're not familiar with the name of that organization?

MR. COHEN: No.

MR. RATCLIFFE: Next allegation, that Kosachev, also plausibly deniable, being part of the Russian legislature rather than executive, had facilitated the contact in Prague and, by implication, may have attended the meetings with Cohen there in August.

Is that a false statement?

MR. COHEN: That's a false statement.

MR. RATCLIFFE: All right. And you stated then and do you state now that you don't know Mr. Kosachev?

MR. COHEN: I do not know Mr. Kosachev.

MR. RATCLIFFE: Next allegation: Cohen met officials from the PA Legal Department clandestinely in an EU country in August of 2016. This was in order to clean up the mess left behind by Western media revelations of Trump ex-campaign manager Manafort.

Is that a true statement?

MR. COHEN: No, it's not.

MR. RATCLIFFE: All right.

By the way, have you ever been to Russia?

MR. COHEN: I've never been to Russia.

MR. RATCLIFFE: All right.

The next allegation --

MR. COHEN: Could I also just state for the record, since it comes up in every paper, I've never been to anywhere in the Czech Republic.

MR. RATCLIFFE: So noted.

MR. COHEN: Thank you.

MR. RATCLIFFE: The next allegation: A key role in the secret Trump campaign-Kremlin relationship was being played by the Republican candidate's personal lawyer, Michael Cohen.

Your prior testimony, both in writing and in the transcript, was that that was a false allegation and that you were aware of no secret Trump campaign-Kremlin

relationship. Is that true?

MR. COHEN: That is true.

MR. RATCLIFFE: I mean, it is true that it is a false statement?

MR. COHEN: It is a false statement.

MR. RATCLIFFE: The next allegation from the dossier that alleged that Kremlin insider outlines important role played by Trump's lawyer Cohen in a secret liaison with Russian leadership.

Your testimony before was that that was absolutely and totally false. Was it absolutely and totally false?

MR. COHEN: Well, looking back, I'm not sure what they refer to as an important role or the secret liaison that they're referring to. If it meant discussions regarding the Trump Tower Moscow project, if they believe that that is the secret liaison, then my statement would be inaccurate. I don't know what they're referring to.

MR. RATCLIFFE: All right.

MR. COHEN: I took the position at the time -- I've never been to Prague. I've never been to the Czech Republic. I never went there with a satchel of cash to clean up anything for Paul Manafort. I actually didn't even engage in that many conversations with Paul Manafort while he was there.

And I found all of the press, the extensive press against me, I found it just to be irritating. And I have no idea what Mr. Steele or the dossier is referring to when they're talking about secret liaison. If that means a telephone call, then I wouldn't know.

MR. RATCLIFFE: Well, did you play an important role in anything?

MR. COHEN: Not in my opinion.

UNCLASSIFIED

MR. RATCLIFFE: Were you ever part of a secret liaison, in your opinion?

MR. COHEN: The answer is no.

MR. RATCLIFFE: With Russian leadership?

MR. COHEN: In order to do anything with this election? The answer is no.

MR. RATCLIFFE: All right.

The next allegation: Cohen engaged with Russians in trying to cover up the scandal of Manafort and exposure of Page and meets Kremlin officials secretly in the EU in August in pursuit of this goal.

Is there anything truthful in that statement?

MR. COHEN: This is number 7.

MR. RATCLIFFE: Anything truthful about that statement?

MR. COHEN: There's nothing truthful. It's a false statement.

MR. RATCLIFFE: Next --

MR. COHEN: And, again, I just want to make a note that August, at that time, I was in Los Angeles, California. I provided copies of the itinerary for that time.

MR. RATCLIFFE: All right.

The next allegation in the dossier: Kremlin insider highlighted the importance of Republican Presidential candidate Donald Trump's lawyer, Michael Cohen, in the ongoing secret liaison relationship between the New York tycoon's campaign and Russian leadership. Cohen's role had grown following the departure of Paul Manafort as Trump's campaign manager in August of 2016.

Is that a false statement?

MR. COHEN: Both of those statements are false.

UNCLASSIFIED

MR. RATCLIFFE: All right.

The next allegation: Cohen was now heavily engaged in a coverup and damage-limitation operation in an attempt to prevent the full details of Trump's relationship with Russia being exposed.

Is that a false statement?

MR. COHEN: To the best of my knowledge, that's a false statement.

MR. RATCLIFFE: In the commentary that you provide or your lawyer provides there, it says: Mr. Cohen denies the allegation, and it is entirely false. Mr. Cohen is not aware of any impropriety relating to Mr. Trump's relationship with Russia.

Was that a true statement?

MR. COHEN: As it relates to direct evidence, yes.

MR. RATCLIFFE: Well, what other evidence do you have?

MR. COHEN: Just a suspicion, as I stated.

MR. RATCLIFFE: All right. So, separate and apart from your suspicions --

MR. COHEN: I have no direct evidence.

MR. RATCLIFFE: And are your suspicions based on any direct evidence?

MR. DAVIS: Excuse me, that's been asked and answered. He gave you four exact examples. And you're now re-asking him. Do you want to hear the four? He already gave you that answer.

MR. RATCLIFFE: No, he didn't.

MR. DAVIS: Excuse me. The record will reflect that he gave you four specific instances backing up the word "suspicion."

MR. RATCLIFFE: Did he give me four instances of direct evidence? My

question was --

MR. DAVIS: No, you asked him about suspicions, sir, with all due respect.

MR. RATCLIFFE: Can the court reporter read the question back?

[The court reporter read back the record as requested.]

MR. RATCLIFFE: On any direct evidence.

MR. DAVIS: Suspicions. He gave you the answer to that.

MR. COHEN: No.

MR. RATCLIFFE: No direct evidence?

MR. COHEN: No.

MR. RATCLIFFE: None of the four instances relate to any direct evidence, to be clear?

MR. COHEN: No, other than I was present for the Alan Garten meeting.

MR. RATCLIFFE: Okay.

MR. COHEN: That was a conversation I took place in. As it related to the Roger Stone telephone call, I was in Mr. Trump's office.

MR. RATCLIFFE: And how would that have been direct evidence of a relationship with --

MR. COHEN: It does not. It has none.

MR. RATCLIFFE: All right.

So the second part of that: Nor is he aware of Mr. Trump having any improper political relationship with officials of the Russian Federation.

Is that true? I mean, is that a --

MR. COHEN: To the best of my knowledge, yes, that is true.

MR. RATCLIFFE: So no impropriety that you're aware of, still? No improper political relationship with officials of the Russian Federation, still?

MR. COHEN: Still. I've stated I don't know how many times now I do not believe Mr. Trump -- I have no direct evidence of any collusion with Russia regarding the campaign. I stated it.

MR. RATCLIFFE: Well, that's why we're making a record, Mr. Cohen.

MR. COHEN: Okay. I totally appreciate it.

MR. RATCLIFFE: And for your -- let me tell you why I'm asking these questions and why it's important.

MR. COHEN: Sure.

MR. RATCLIFFE: Because you've now testified that you worked with Donald Trump for 10 years. Yesterday, you called him a racist, a con man, a cheat, a liar, and you accused him of complicity in various crimes. Did I accurately summarize the testimony that you gave yesterday?

MR. COHEN: Yes.

MR. RATCLIFFE: All right. And I'm establishing that, notwithstanding that fact, your testimony in October of 2017 was that you were aware of no collusion, coordination, or conspiracy. And you, of all people, today are still testifying --

MR. COHEN: That I have no direct --

MR. RATCLIFFE: -- that you have no evidence of collusion, conspiracy, or coordination.

MR. COHEN: I, to this day, sitting here, I have no direct evidence.

MR. RATCLIFFE: Is that accurate?

MR. DAVIS: As counsel, excuse me --

MR. RATCLIFFE: Hold on. I want an answer.

Is that --

MR. DAVIS: As counsel -- don't say "excuse me." I am going to speak.

Then you can say "excuse me."

As counsel, he has repeatedly modified your use of the word "evidence" with the word "direct." Yet you continue and persist to omit the word "direct evidence."

So let the record reflect that, despite Mr. Cohen constantly changing your expression, he is inserting the word "direct evidence." Are we clear?

MR. RATCLIFFE: That's fine.

MR. DAVIS: Thank you.

MR. RATCLIFFE: So your testimony in 2017 was you had no direct evidence, and your testimony in 2019 is that you have no direct evidence --

MR. COHEN: Yes.

MR. RATCLIFFE: -- of collusion, of conspiracy, of coordination between the Trump campaign or Mr. Trump and the Russian Government.

MR. COHEN: That's what I stated.

MR. RATCLIFFE: All right.

Do you have any evidence, direct or otherwise, of any obstruction of justice by Donald Trump?

MR. MONICO: Are you referring to a question on --

MR. RATCLIFFE: No.

MR. MONICO: This is a direct question.

MR. RATCLIFFE: I'm asking a question.

[Discussion off the record.]

MR. COHEN: I'm sorry, sir. Obstruction of justice is a legal conclusion, and I'm not in a position to be making any legal conclusions at this time.

MR. RATCLIFFE: Well, let me ask it more specifically. Do you have any

evidence, direct, circumstantial, or otherwise, that Donald Trump fired Jim Comey because he was trying to obstruct justice into the Russia investigation?

MR. COHEN: I had one conversation with Mr. Trump regarding James Comey, where he asked me if I thought he's doing the right thing. And I said, I don't know enough about the facts and circumstances to give you an answer to that. That's about as far as the conversation I had with Mr. Trump -- President Trump regarding James Comey.

MR. RATCLIFFE: So nothing in that conversation would be evidence of obstruction of justice, would you agree with me?

MR. COHEN: I'm sure my conversation wouldn't be considered evidence either. It wouldn't be direct evidence.

MR. RATCLIFFE: But my question is, that, as you've related that conversation, would not be any evidence of obstruction of justice?

MR. COHEN: I do not believe so.

MR. RATCLIFFE: It doesn't even give you a suspicion of obstruction of justice?

MR. COHEN: As it relates to James Comey, it does not.

MR. RATCLIFFE: And that was my question.

MR. COHEN: Ask it, and I will answer.

MR. RATCLIFFE: So I want to be clear. You've got no direct evidence of collusion, coordination, or conspiracy with the Russian Government by Donald Trump or anyone on his campaign, and you're aware of no information, direct or circumstantial, of obstruction of justice with respect to the Russia investigation.

MR. COHEN: When he started to attack myself, my parents, my in-laws, my wife, not wanting me to come and to testify to be here today, would you call

that obstruction of justice?

MR. RATCLIFFE: My question was regarding the Russia investigation.

MR. COHEN: Well, are we not here talking about the Russia investigation? I mean, I've been here for 2-1/2 hours; we haven't stopped talking about the Russia investigation.

So if you want to ask me a proper question, right, ask it. But you're doing it in a general way.

Listen, do you know why Mr. Trump didn't want to come and testify before the special counsel?

MR. RATCLIFFE: Tell me.

MR. COHEN: I will tell you. He didn't want to because he didn't want to get stuck in a perjury trap, which is exactly what you're trying to do to me, my friend.

And let me say this to you, all right? I am not concerned with your 1001 -- all right? I have sat there. I represented Mr. Trump for 10 years. I was as loyal as any human being can be. And I am going to prison.

So you can talk about that all you want, like everybody else did yesterday. I know where I'm going. And I know I'm going to be away from my family. And I know what got me there. And nobody -- nobody believes that I would have been looked at, I would have been going to jail but for my relationship with President Trump. Okay?

And this document is all about the allegations against me that were raised in the Steele dossier. And they're not accurate. I've never been to Prague. I never cleaned up Manafort's mess. I never had any involvement in the hacking of Hillary Clinton's emails or the DNC's emails.

What I stated yesterday in my testimony I stand by. Okay?

MR. RATCLIFFE: Are you finished?

MR. COHEN: I am.

MR. RATCLIFFE: So you mentioned in your testimony under oath just now that you know that Donald Trump didn't want to testify before the special counsel because he was afraid of a perjury trap.

MR. COHEN: As stated by his television attorney, Rudy Giuliani, as well.

MR. RATCLIFFE: So you know that from hearing Rudy Giuliani, or do you know it from personal knowledge?

MR. COHEN: I know it from Rudy Giuliani. And I also know it from my understanding of Mr. Trump. It's my impression.

MR. RATCLIFFE: Okay, impression. So that was going to be my question. Did you ever hear or did Mr. Trump ever say to you that he wouldn't testify to the special counsel because he was afraid of a perjury trap?

MR. COHEN: No, he never told me that.

MR. RATCLIFFE: All right. So --

MR. COHEN: I would also just like to note for the record he never went and spoke to the special counsel. He only did it by paper document.

MR. RATCLIFFE: Okay. I'm not sure -- I didn't ask a question. Was that testimony?

MR. COHEN: No, it was just my ad lib.

MR. RATCLIFFE: Okay.

MR. COHEN: To the best of my knowledge is right.

[12:52 p.m.]

MR. RATCLIFFE: So you testified, in addition to the statements in the dossier with respect to you that were untrue, a number came up in testimony yesterday as it pertained to Mr. Trump.

And I want to make sure that -- well, let me just ask you, do you have any evidence of or are aware of a videotape of Mr. Trump with Russian prostitutes, as alleged in the Steele dossier?

MR. COHEN: No. And I would also like to state I truly don't believe that it exists. I had spoken to many, many people who all claimed that they had this, and none of them turned out to be true. And, again, I do not believe that Mr. Trump was involved in this type of action.

MR. RATCLIFFE: All right.

So, in my last 5 minutes here, I want to run through a couple of things in this first round.

You were asked a number of questions by my colleagues in the prior interview about Russian banks, about Deutsche Bank, about money laundering. So I want to ask you about whether or not these statements were truthful when you gave them.

Mr. Castro asked you, to your knowledge, does Donald Trump have any financial investments or interests in Russian banks? On page 97, your answer was: I'm not --

MR. COHEN: I'm not aware.

MR. RATCLIFFE: -- aware. All right.

You were also asked, has Donald Trump -- on page 97 -- or The Trump Organization ever received personal or business loans from a Russian bank or

from individuals connected with the Russian Government?

MR. COHEN: And I stated I'm not aware.

MR. RATCLIFFE: And that's still true?

MR. COHEN: That's still true.

MR. RATCLIFFE: To the best of your knowledge, has anyone connected to the Trump campaign or transition team failed to report or sought to obscure any financial relationships with Russians or Russian banks? You were asked that question on page 98. Your answer was: I'm not aware.

MR. COHEN: And I'm still not aware.

MR. RATCLIFFE: All right.

You were also asked, just so we're clear, are you aware of any Russian financiers, businesspeople, anybody involved in the deals involving Deutsche Bank with which you were involved. And your answer was --

MR. COHEN: I'm sorry, sir. Where are you at?

MR. RATCLIFFE: Page 99.

MR. COHEN: Okay.

MR. RATCLIFFE: Your answer was: There were none that I'm aware of.

MR. MONICO: What line on 99?

MR. RATCLIFFE: Oh, I'm sorry. 101. My apologies.

MR. COHEN: No worries.

MR. MONICO: What line?

MR. RATCLIFFE: I don't have it on this. It's about halfway down. It starts with Mr. Castro: Okay, just so we're clear.

MR. MONICO: Got it.

MR. COHEN: And I remain, I'm unaware.

UNCLASSIFIED

MR. RATCLIFFE: All right. So that was a truthful statement.

MR. COHEN: Yes, sir.

MR. RATCLIFFE: All right.

I think my time for this round has expired. Thank you.

THE CHAIRMAN: I just have a few questions before I turn it back to the staff.

Mr. Cohen, you've been asked a number of questions about direct evidence and suspicions. And I take it from your answers that you're drawing a distinction between direct and circumstantial evidence?

MR. COHEN: Yes, sir.

THE CHAIRMAN: And when you talk about suspicions, are you referring to what we might consider at times circumstantial evidence and at times a hunch?

MR. COHEN: Yes.

THE CHAIRMAN: You have also been asked questions that sometimes go to legal conclusions rather than a witness' observation, what constitutes a conspiracy or coordination or collusion.

I wouldn't describe myself as an expert in law, but I am a lawyer, as are you. My understanding of "conspiracy," which would be the legal term, not "collusion," is that it involves an agreement, an offer, an acceptance, as well as an overt act in furtherance of that agreement. Is that your understanding as well?

MR. COHEN: It's certainly plausible, yes.

THE CHAIRMAN: If the Russians offered help to the Trump campaign and the campaign said they would like that help and then met in furtherance of that agreement, would that, in theory, meet the definition of "conspiracy"?

MR. COHEN: If those facts, yes.

UNCLASSIFIED

UNCLASSIFIED

THE CHAIRMAN: Now, I know you weren't present at the Trump Tower New York meeting, correct?

MR. COHEN: That's correct. I was not.

THE CHAIRMAN: But you did overhear a conversation that, in retrospect, you believe referred to that meeting?

MR. COHEN: Yes.

THE CHAIRMAN: And in that conversation, it was your impression they were describing, in fact, the meeting at Trump Tower. This was a conversation between Donald Trump and his son Don Jr.

MR. COHEN: The conversation that I overheard was very short, and it was just that a meeting -- that I set up a meeting. And Mr. Trump responded back, okay, good, let me know. So it was about setting up the meeting and that it had been set up.

THE CHAIRMAN: And is it your belief that that discussion was potentially about the Trump Tower New York meeting with the Russian delegation?

MR. COHEN: I ultimately -- in my mind, I concluded that, yes, it was.

THE CHAIRMAN: And did that indicate to you that Donald Trump had knowledge, prior knowledge, of that meeting?

MR. COHEN: I do. I believe Mr. Trump had prior knowledge of that meeting.

THE CHAIRMAN: And if that's the case -- and I'm asking you as a lawyer --

MR. COHEN: Unfortunately, sir, I was disbarred 2 days ago as a result of this.

THE CHAIRMAN: Well, a nonpracticing lawyer.

UNCLASSIFIED

UNCLASSIFIED

MR. COHEN: I'll take that. Thank you.

THE CHAIRMAN: Would that be circumstantial evidence that Donald Trump was a party to that agreement or potential conspiracy?

MR. COHEN: Yes.

THE CHAIRMAN: And if he were to later deceive people about his prior knowledge, would that deception be potential evidence, circumstantial evidence, of his participation in that agreement?

MR. COHEN: Yes, I believe it would be circumstantial evidence.

THE CHAIRMAN: The conversations you relayed the other day about Roger Stone and the President speaking to Roger Stone about the WikiLeaks disclosures, do you recall that testimony?

MR. COHEN: Yes, I do.

THE CHAIRMAN: And I believe you indicated that Mr. Stone on speakerphone in your presence informed Mr. Trump that he had been in touch with Julian Assange, that they had stolen emails or Clinton emails or damaging emails that they were going to release. Is that correct?

MR. COHEN: That he had spoken to Julian Assange and that in a couple of days there was going to be a massive dump that's going to affect Hillary Clinton's campaign.

THE CHAIRMAN: And in your opinion as a lawyer, might that also be circumstantial evidence of participation in collusion or conspiracy around the Russian-hacked publication of these documents?

MR. COHEN: Well, I want to be clear. The answer would be yes, but I'm not aware that any of us knew that Russia was involved with WikiLeaks at that time.

UNCLASSIFIED

THE CHAIRMAN: And you mentioned also -- well, let me ask you this. False statements about that conversation, a false denial that the conversation took place, would you also consider that potential circumstantial evidence of --

MR. COHEN: Yes.

THE CHAIRMAN: -- collusion or conspiracy?

MR. COHEN: Sorry. Yes.

THE CHAIRMAN: You mentioned a meeting also with Alan Garten?

MR. COHEN: Yes, sir.

THE CHAIRMAN: And can you tell us who that is?

MR. COHEN: Alan Garten is now general counsel at The Trump Organization. And prior to that, he was assistant general counsel.

THE CHAIRMAN: You referenced that in the context of this also raised your suspicion of collusion. What in particular were you referring to?

MR. COHEN: My conversation with Alan Garten was in regard to, I believe, this committee's subpoena where they wanted all of my contacts from the Trump Org server. And in order to limit the amount, because there were about 10,000, he brought to me a stack of pages and wanted me to go through each one of those email addresses to the best of my ability to mark off which ones were family, which ones were friends, which ones related to Trump Org business, which ones were just solicitations, Google alerts, et cetera.

We started to engage in conversation, because at the time the news cycle was all over the allegation that the conversation going back and forth was about adoption. And I said, well, what's going on? Tell me what happened.

So he told me that he was with Don Jr. and that they were communicating back and forth with Air Force One. And he goes, you know how it gets, back and

UNCLASSIFIED

forth and back and forth. He goes, it was such a process.

That was the conversation with Alan Garten.

THE CHAIRMAN: And tell me what raised your suspicion about that conversation.

MR. COHEN: It was about how to describe the meeting, the Trump Tower meeting, as to whether it was about obtaining dirt on Hillary Clinton or it was about adoption. And what he expressed to me is that, you know, Mr. Trump drafted the first round, and it came to Don and him, and then they sent it back, and back and forth.

THE CHAIRMAN: So what he described to you was Mr. Trump's participation in the creation of a false statement about what took place in that meeting?

MR. COHEN: Yes, that's how he described it. Well, that's how I understood it.

THE CHAIRMAN: My colleague Mr. Ratcliffe asked you about potential evidence of obstruction. And, again, this calls for more of your legal conclusion than a factual one. But if Mr. Trump was involved in producing a false statement to cover up a meeting with a Russian delegation where the subject was the Russian Government's offer to provide dirt on Hillary Clinton, would you consider that an act of obstruction?

MR. COHEN: I would.

THE CHAIRMAN: Would you consider public statements from the President lauding witnesses who weren't cooperative and/or the dangling of pardons to be potential acts of obstruction?

MR. COHEN: That, as well as threatening individuals who want to appear,

UNCLASSIFIED

yes.

THE CHAIRMAN: And, lastly, on the issue of the number of conversations you had with Mr. Trump, I just wanted to be clear for the record on the subject of Russia and a business development opportunity in Russia. The handful of times you spoke about -- and I think you said this, and I don't know if the reporter caught this, because I'm not sure it was audible enough -- what you were referring to was discussions prior to the Moscow Trump Tower.

MR. COHEN: Prior to the Trump Tower Moscow project. I did say that.

THE CHAIRMAN: Vis-à-vis the questions you were asked about no improper relationship with Russia, I just want to be sure, you were referring to the campaign and Russia, not the business deal that you were pursuing at the time the President was denying any dealings with Russia. Is that correct?

MR. COHEN: I was referring to the campaign, yes.

THE CHAIRMAN: Okay.

Mr. Goldman.

BY MR. GOLDMAN:

Q Thank you, Mr. Chairman.

Just to follow up on the suspicions that you mentioned, what is your definition of direct evidence?

A Something tangible, something like the check that I provided to the Oversight Committee yesterday, emails.

Q Conversations?

A Conversations. However, conversations are -- would I consider direct evidence to be conversation? Maybe yes, maybe no. I don't know the answer. It would have to be --

Q And what --

A -- adjudicated, I guess.

Q So, for instance, if Donald Trump had a conversation with Vladimir Putin and Mr. Trump said, Mr. Putin, I need your help to win this election, would that be direct evidence?

A It would be my testimony.

Q No, if that was a fact, that conversation occurred, is that what you would call direct evidence?

A Yes.

Q Okay.

Now, when you talk about your suspicions, okay -- and I think Mr. Schiff just went through that -- is that what you would call circumstantial evidence?

A I would.

Q Okay. And what is your definition of circumstantial evidence?

A Something that's not tangible, it's coming from me. And my hope is that there would be other corroborating evidence within which to prove that the statements that I'm making are truthful.

Q So if you connect a conversation that you had with other evidence that's unrelated, that somehow it could still be relevant or probative to the ultimate conclusion.

A Yes.

Q Is that right? Okay.

Now, are you aware, Mr. Cohen, that, in law, direct evidence and circumstantial evidence are given the same weight?

A Yes, they are.

Q Okay.

Now, you also mentioned about -- Mr. Ratcliffe took you through a number of statements that you made previously about collusion with Russia. Is that right?

A Yes.

Q Did you have a formal role on the campaign?

A I had no formal role.

Q Did you seek a formal role on the campaign?

A No.

Q How involved were you, generally speaking, on the campaign?

A Other than raising money and speaking on Mr. Trump's behalf as his surrogate, I didn't.

Q Did you discuss campaign strategy with Mr. Trump?

A Only as it related to the minority vote.

Q And can you explain what you did?

A Yes. So when he went on the first series of rallies, I came into his office, and I said to him, Mr. Trump, I just want to express something to you, that, while looking into the audience, it's very vanilla. And I said, you have no minorities that are in the audience.

And what I did then is I started something called the National Diversity Coalition for Trump, which was -- and then I contacted at that time my friend, very good friend, Pastor Darrell Scott, and I put together this diversity coalition that would encompass African-American leaders. I was successful in getting Alveda King and others, Pastor James and others, and we built up this massive group of people.

And we started getting -- I found Diamond and Silk, and I got all these

different surrogates to go out and to speak on his behalf, because I wanted to see the campaign as diverse as possible.

Q How many conversations did you have with Mr. Trump about that effort of yours?

A A dozen.

Q And did you speak to other campaign members as well?

A Yes, because ultimately they wanted to take over the site. And that is how the whole meeting with Jim Brown for the AmeriCAN program got started. Jim called me and asked if he could see Mr. Trump, and I said, yes. And he says, when? I said, how about come in tomorrow?

Q Okay.

Now, other than this effort to diversify the audience and the support, did you have any involvement in the campaign?

A No, other than raising money.

Q Okay.

A And, by the way, I raised a lot. So if anybody is looking for some, I have a lot of rich friends.

Q You said before that you know Mr. Trump and that you believe that the reason why he did not go speak with the special counsel was because he was concerned about a perjury trap. "Perjury trap" has a technical definition, but I'm curious what you mean by that.

A Well, you lie, you get hit with 1001, and then you end up my roommate.

Q So, basically, when you say a perjury trap, it means that --

A It means someone asking you a question in order to set you up, where

your answer is interpreted as not being accurate or is actually inaccurate, and then, as I said, you get hit with the 1001.

Q And when you say set you up, does that mean that they ask you questions that might be incriminating?

A Yes.

Q And in order to avoid incriminating answers, you lie?

A Yes.

Q And so is that what you mean by "perjury trap"?

A Yes.

Q I just want to flag -- Mr. Ratcliffe asked you some questions about your guilty plea. I just want to read into the record, if it is okay with you, Mr. Ratcliffe, paragraph 4 -- I don't have extra copies of it -- which is on page 2.

MR. RATCLIFFE: Of the information or --

MR. GOLDMAN: No, of the -- sorry -- of the plea agreement dated November 29, 2018.

Paragraph 4 says: In consideration of your client's guilty plea to the above offense, your client will not be further prosecuted criminally by this office for the conduct set forth in the attached criminal information; for any other false statements made by him to the U.S. Congress or to this office in connection with the conduct described in the criminal information; and for obstructing, aiding, or abetting in the obstruction of or conspiring to obstruct or commit perjury before congressional or grand jury investigations in connection with the conduct described in the criminal information.

Does that paragraph ring a bell to you, Mr. Cohen?

A No, but I'm glad it's there.

Q Okay. So do you understand that this means that you can't be charged, at least by the Special Counsel's Office, for any false statements that you made in your prior testimony before this committee or this Senate committee?

A Yes.

Q Okay.

And one last thing. On the James Comey conversation, I believe you said that Mr. Trump told you --

A He asked me --

Q He asked you, is he doing the right thing.

A Do you think that I'm doing the right -- is it the right thing -- do you think I should fire James Comey? And I said, I don't know enough about the situation to give you an answer.

Q And what did you -- so you understood him to mean by "the right thing" that he was either going to or had fired James Comey? What do you mean by, "Am I doing the right thing?"

A Did I -- I believe it was after, "Did I do the right thing?" Because it was, again, all over the press. It was just a question across the desk. And I said, I don't know enough to give you an answer.

Please understand -- and, again, I'm going to give you some insight into Mr. Trump. If he wanted to fire James Comey, he was going to fire him no matter what.

And what he'll do is he'll ask 50 different people the same question. He'll ask the gentleman at the door, he'll ask, you know, the guy serving him a hamburger, it doesn't make a difference, until he finds somebody that's going to agree with what his gut tells him to do. And that's just how he operates. He

operates in a way that he'll ask as many people until he gets the answer that he wants.

Q Okay.

A It's very rare that you're able to convince him on something that's opposite of the way he believes.

Q You said in your testimony a moment ago that you were unaware of a variety of loans, some of which related to Deutsche Bank or other banks. Is that right?

A As it related to Russia.

Q As it related to Russia.

A Correct.

Q Within your duties and responsibilities, were you knowledgeable of every loan that The Trump Organization either sought or received?

A No. Actually, I was involved very little in that area.

Q And just to clarify, is it your understanding in your criminal information that you pled guilty to before the Special Counsel's Office that that related only to the written statement that you submitted to Congress?

Do you want to take a look at that? I believe it's minority exhibit 1.

A What am I looking at?

Q We'll come back to this. We'll provide a copy for you.

A Thank you.

Q Mr. Mitchell.

BY MR. MITCHELL:

Q All right, sir, we're going to go back to Trump Tower Moscow --

A Okay.

Q -- switching gears again. And before the break, you had a document -- I see a number of papers in front of you, sir. I don't know if --

A No, none of them are that. I returned it before.

Q So I have the original. I'm going to hand it to you. It's a three-page document. It is Bates numbered MDC-H-000567 to 569, and it's majority exhibit No. 2.

I'm going to give you a moment to take a look at that document, sir.

A I read the document before the break.

Q Sir, are you generally familiar with this email string?

A Yes, sir.

Q I want to go to the last page. We're going to do this in chronological order. The page ending in 569. Do you see the email dated September 24, 2015?

A Yes.

Q Who is that email from?

A Giorgi Rtskhiladze.

Q And who is Giorgi Rtskhiladze?

A He's a friend of mine who ultimately became a licensee for the Trump Tower Batumi project.

Q Where's he from originally?

A He's from the country of Georgia.

Q When did you first meet him?

A 2013, 2014, give or take.

Q In what context?

A Friend, met him through a mutual friend, a girl named Camilla Olson,

who's a PR.

Q And you had business dealings with him?

A No.

Q Well, he was involved in another project with you?

A With The Trump Organization.

Q And where does he live?

A He lives right now in Connecticut.

Q Where did he live at the time of this email, in September 2015, if you know?

A I wasn't sure if it was New York or Connecticut at the time.

Q And you see in the signature line it refers to the Toroil Group?

A Yes.

Q And are you familiar with that organization?

A I have seen the name before, yes.

Q Other than simply seeing the name, do you know anything else about it?

A That's Giorgi's company.

Q What about Green Wind Energy Group?

A No, that's not a name that I recognize, but I believe it's Giorgi's as well.

Q What was Giorgi's role in the Moscow tower deal?

A Well, there were two potential deals going on simultaneous. So he had his own, and then there's the one with Felix Sater that he had nothing to do with. He was pitching a Trump Moscow tower deal at roughly the same time as Felix Sater.

Q Do you have any insight as to why these two different individuals,

Giorgi and Mr. Sater, both approached you with proposals for a Trump Tower Moscow deal at roughly the same time in late 2015?

A Well, Giorgi wanted to do Trump-branded properties throughout Eastern Europe. He's the one who also took me to Kazakhstan while we were in the country of Georgia. Why specifically they wanted it at the same exact time, I don't know the answer to that.

Q Well, did you reach out to Mr. Sater prior to October of 2015 expressing an interest on behalf of Mr. Trump of establishing a Trump Tower Moscow?

A Did I reach out to Mr. Sater? Not that I'm aware of.

Q Same question with regard to Giorgi.

A Not that I'm aware of. They both came -- I believe they both came to me.

Q Independent of any action on your part?

A Yes, I believe so.

Q Do you think this was a coincidence?

A I do.

BY MR. MITCHELL:

Q The email dated September 24, 2015, that you have in front of you here says: Letter to the mayor of Moscow from Trump Org. Can you translate, or do you need me to have it translated?

Do you recall whether there was an attachment to this email with a letter?

A I don't recall.

Q Do you recall speaking with Giorgi about a Trump Tower Moscow deal prior to receiving this email on September 24, 2015?

A Yes. I spoke with Giorgi all the time.

Q Okay. When was the first time that you spoke with Giorgi about a possible Trump Tower Moscow deal?

A Probably when we were in the country of Georgia or in Kazakhstan.

Q Okay. Which was when?

A 2014, twenty -- around -- I believe it was around 2014.

Q Okay. So approximately a year before you received this email?

A Yes.

Q And did you continue having communications with Giorgi between 2014 and 2015 about this prospect?

A Giorgi was always looking to do some type of business, so I don't have the answer to that. I'm unsure.

Q Now, there is a reference here to the mayor of Moscow. Do you see that reference?

A I do.

Q Can you speak a little bit about what that reference relates to?

A He wanted me to produce on Trump letterhead a letter to the mayor of Moscow basically inviting him to New York City in order to talk about a potential Trump Tower Moscow deal.

Q Did Giorgi explain to you why he was requesting this letter?

A It was an invitation. It is the formal way that he thought was the right way to do this.

Q But did he explain to you why the mayor of Moscow?

A To get potential project, to get a potential site, I guess, must be the -- and this is my recollection, that it is the mayor of Moscow that would find the piece of property that he was talking about in order to potentially create a project.

Q And do you know whether Giorgi had connections with the mayor in Moscow?

A I don't know if he has. I do know that Giorgi has done business in Moscow previously.

Q Now, turning to the first page of majority exhibit No. 2, it is a letter -- excuse me, an email dated May 24, 2015, from Giorgi to you. Do you see that email, sir?

A September 24?

Q Excuse me, September 24.

A Exhibit 2. Is that Bates stamp 567?

Q Yes, sir.

A Yes, sir.

Q And in the body of that email, you will see text that reads -- in quotation marks, that reads "to mayor of Moscow." Do you see that, sir?

A Yes.

Q And then below that, there is what appears to be a letter. Do you agree?

A I do agree.

Q Okay. Did you have any role in writing this letter?

A Giorgi sent it to me. I may have edited it.

Q And do you see a reference on the second line to Global Prospect LLC? It says, Global Prospect LLC, a Moscow-based real estate development company.

A Yes.

Q Are you familiar with that entity?

A I am not.

Q Did you do any due diligence on that entity at any time?

A No.

Q Further down it says: participate in a project of monumental proportions, which would be called Trump World Tower of Moscow, which would be housed in the heart of Moscow City development.

Do you see that?

A I do.

Q Is this the same location of the potential Trump Tower Moscow which you were discussing with Mr. Sater?

A There was never a site identified by Mr. Sater, and in all honesty, there was never a site identified here either.

Q And you testified earlier that Mr. Sater and Giorgi were working independently of one another, correct?

A That is correct.

Q Do you know whether they had any sort of relationship?

A I'm not aware they have any relationship.

Q Did you have any discussions with anyone within The Trump Organization about Giorgi's proposal to you regarding a Trump World Tower Moscow?

A I don't recall having any.

Q What about with Mr. Trump himself?

A I don't recall because I believe we were already -- I was in discussions with Felix, and I was keeping this one kind of on the side just in case.

Q Do you recall having any conversations with any members of Mr. Trump's family regarding Giorgi's proposal?

A I don't recall.

Q Do you know whether the letter was ever sent to the mayor of Moscow?

A I don't know.

Q Do you know whether the mayor of Moscow traveled to New York to meet with The Trump Organization?

A I'm not aware he did.

MR. MITCHELL: Sir, I'm going to take that exhibit back from you and hand you majority exhibit No. 4.

[Cohen Exhibit No. 4

Was marked for identification.]

BY MR. MITCHELL:

Q It is a one-page document, Bates numbered MDC-H-000471. Take a look at that document and let me know when you are done.

A Okay.

Q This is an email from Giorgi to you sent on September 27, 2015. Is that correct?

A That is correct.

Q Subject Re: Trump Tower Moscow_2015-09-23.pdf. Do you see that as well?

A Yes.

Q Do you recognize this email?

A I do.

Q First line, Giorgi writes: Mike, as discussed, here is the general info for the proposed TS.

Do you know what TS means?

A Term sheet.

Q Below is a reference to Global Development Group LLC. Are you familiar with that entity?

A No, only by name.

Q Is that different than Global Prospect LLC, if you know?

A I do not know.

Q Did you do any due diligence on Global Development Group LLC?

A No.

Q About a third of the way down it says, "Projects: Trump residential building," and there is a parenthetical, and it goes onto say, "and Trump World Tower," and a parenthetical that reads, "your project concept which is being shared with the President's Cabinet and Moscow mayor."

Do you see that?

A I do.

Q What was your understanding, if any, of what Giorgi meant by "shared with the President's Cabinet and Moscow mayor"?

A That the term sheet would be shared with the President's Cabinet as well as the mayor of Moscow.

Q Do you have an understanding of what Giorgi's connections were with the President?

A No.

Q And is the reference here President Putin?

A I am not aware.

Q Do you know whether the term sheet was shared with the President's Cabinet --

A I'm not aware that a term sheet -- I'm sorry. I will let you finish the question.

Q Sure. You indicated that the reference here was to a term sheet, correct?

A That is correct.

Q Okay. Do you know whether the term sheet was shared with the President's Cabinet and Moscow mayor?

A I don't recall a term sheet being prepared.

Q What about the fact of the project itself? Do you know whether the project itself was shared with the President's Cabinet in Moscow?

A I'm not aware if Giorgi made any statements to anybody overseas.

Q Do you have any insight about the dynamic between the mayor's office of Moscow and the Kremlin?

A I do not.

Q Did you have any conversations with Giorgi about President Putin's role in any project regarding a Trump Tower in Moscow?

A Only that everything in Moscow goes through the Kremlin and ultimately is seen and approved by President Putin.

Q Giorgi told you that?

A I believe it might have been Giorgi. It is -- or it could have been Felix. I'm just -- or both.

Q Okay. Did Giorgi ever talk to you, in the context of these discussions about a potential Trump Tower in Moscow, about the fact that Mr. Trump was also a Presidential candidate?

A Yes.

Q What did he say?

THE CHAIRMAN: Can I just add, are you able to hear the questions? I know the mike is far away. Can you maybe move the mike over here? Try that now.

MR. MITCHELL: Testing.

MR. COHEN: I'm sorry. Can you repeat your question? Something about if he mentioned anything regarding the President Putin.

BY MR. MITCHELL:

Q You indicated that you had conversations with Giorgi about President Putin -- or excuse me, about President Trump running for President at the time that you were having discussions about this Trump Tower project. Is that correct?

A That is correct.

Q Okay. Can you describe those conversations?

A We had many conversations. It was no secret Mr. Trump was running for the Presidency. While we were talking about a potential project as well as, you know, other things, how great it would be for the two countries to be able to have some sort of East/West type relationship, and just to develop better business relationship between the two countries, things like that.

Q Okay. Did Giorgi ever indicate to you that it might be easier to get approval for the Trump Tower project in Moscow because Mr. Trump was the candidate for President?

A Not that I recall.

Q You testified earlier that you had a handful of conversations with Mr. Trump from approximately 2007 through 2015 about the prospect of building Trump Tower Moscow. Is that correct?

A Not necessarily Trump Tower Moscow, just about developments, you know, in Russia.

Q Okay. And after that, in October of twenty -- beginning in October 2015, you had additional conversations with Mr. Trump about development in Moscow. Is that correct?

A About Trump Tower Moscow?

Q Correct.

A As it relates to the one that was being represented by Felix Sater, yes.

Q And so, once Mr. Trump ran for President, was a candidate, you received offers or proposals for Trump Tower Moscow?

A Yes.

THE CHAIRMAN: Mr. Cohen, I just had one question I neglected to ask earlier. I think you mentioned there were four areas that raised your suspicion on

the issue of collusion or conspiracy, and I don't know if I heard you correctly. It sounded like you were saying party line?

MR. COHEN: Yes.

THE CHAIRMAN: What were you referring to there?

MR. COHEN: No Russia collusion. There is no business. There is no deals. There is no -- there is just no Russia.

THE CHAIRMAN: So, by that, you are referring to the President's public denials of any business dealings, among other things, with Russia?

MR. COHEN: Correct.

THE CHAIRMAN: Something that you knew at the time to be untrue?

MR. COHEN: Correct.

THE CHAIRMAN: Do my colleagues have questions? Mr. Swalwell.

MR. SWALWELL: With respect to that proposed letter to the mayor of Moscow, did Donald Trump know that that request was made, that a letter to Moscow should be sent?

MR. COHEN: Not that I recall.

MR. SWALWELL: Did anyone in the Trump family know about that request?

MR. COHEN: Not about the Rtskhiladze proposal.

MR. SWALWELL: Did anyone else at The Trump Organization know Giorgi?

MR. COHEN: Yes.

MR. SWALWELL: Who?

MR. COHEN: Don Jr., Ivanka, Mr. Trump. I'm not 100 percent certain about Eric.

MR. SWALWELL: What was Mr. Trump, Donald Trump, what was his relationship with Giorgi?

MR. COHEN: Well, we had an active deal. So Giorgi was part of the Silk Road Group, which was the licensee on the Trump Tower Batumi project in the country of Georgia. So he --

MR. SWALWELL: Did they ever communicate separate of you, Mr. Trump and Giorgi?

MR. COHEN: I don't believe so.

MR. SWALWELL: Were you an intermediary?

MR. COHEN: Yes. I was the -- we'll call it project executive on that since I did all the papers and traveled with Giorgi to Georgia.

MR. SWALWELL: And would Donald Trump, Jr., ever communicate with Giorgi independent of you?

MR. COHEN: I don't believe so. I don't know.

MR. SWALWELL: How about Ivanka?

MR. COHEN: I don't believe so. Again, I also don't know.

MR. SWALWELL: Did -- at the time, contemporaneous with this proposed deal in Trump Tower, were you aware of whether Mr. Trump had ever met Vladimir Putin before?

MR. COHEN: I'm not aware.

MR. SWALWELL: How about talk by telephone?

MR. COHEN: I'm not aware if he spoke to him by phone.

MR. SWALWELL: Would Mr. Trump talk to you about his understanding of what Mr. Putin's role would be in any deal in Russia?

MR. COHEN: He knew that --

UNCLASSIFIED

MR. SWALWELL: Why do you say that?

MR. COHEN: Because we have had conversation where he knew as well that everything runs through the Kremlin. As I said, I -- it is just well known.

MR. SWALWELL: That is all. Thank you.

MR. COHEN: You know, I do just want to clarify one thing. I traveled to Georgia with -- several times, the country of Georgia, one time with Mr. Trump. We all went. Of course, Giorgi was there as well. But Giorgi was in Mr. Trump's office quite a few times.

MR. SWALWELL: So I guess my question then is, is it possible then that Giorgi and Mr. Trump could have had their own line of communication that you were not aware of?

MR. COHEN: It is possible. Again, I just don't believe that happened, but it is possible. Sure.

MR. SWALWELL: Thank you.

MR. COHEN: You are welcome.

THE CHAIRMAN: Ms. Speier.

MS. SPEIER: Mr. Cohen, you had two projects pending in 2015 after Donald Trump announced his candidacy for President. Did you ever talk with Mr. Trump about the great fortune of having these projects come to him because he was running for President?

MR. COHEN: Not under those specific guidelines. I mean, he was out there in the meat and the press every single day. And, you know, I said something yesterday, and I stand by it as truthful and accurate, that early on when I discussed with Mr. Trump the date of the announcements for the -- you know, for the campaign, none of us ever expected to win, including the primary.

UNCLASSIFIED

And this was supposed to be -- and this is his words -- the greatest infomercial in political history. That's -- those are his words. And the fact that we had this opportunity to build what would have been the tallest building in Europe, no problem because, again, none of us ever expected that he was going to win.

So why this one, for example, is called Trump Tower Moscow because Trump Tower, which is located on -- between 47th and 48th Street on FDR, on the First Avenue across the Street from the United Nations, is 90 stories, and this one is going to go bigger, and it was going to, you know, be named the same thing. So, no, there was no issue in my mind or his mind at the time about continuing the conversation.

MS. SPEIER: And then tracing back to your comments about suspicions and/or circumstantial evidence, can you provide the committee with any other indications you had of circumstantial evidence or suspicions of cooperation, conspiracy, with Russian interests in the campaign?

MR. COHEN: I will be honest: I don't understand the request.

MS. SPEIER: Well, you said you had suspicions.

MR. COHEN: Yes.

MS. SPEIER: No direct evidence, but you had suspicions that there might have been collusion or conspiracy or coordination. And I was just asking what those suspicions included beyond the ones you have already told us.

MR. COHEN: I can try to find for you -- as an example, when Alan Garten came to my office and provided me that thick list of all of my email addresses, I could check to see if that still exists. It was the document that he provided me for the meeting when he was discussing with Air Force One for the statement. Is that what you are looking for?

MR. MONICO: I think you are looking for other events.

MR. COHEN: Oh, I'm sorry. Sorry, ma'am. Beyond the four? Oh, I can think about it --

MR. MONICO: We can think about it before the next week.

MR. COHEN: -- and try to get back to you, yes. Sorry.

MS. SPEIER: Thank you.

MR. MALONEY: Mr. Cohen, earlier you said that there was no discussion on The Trump Organization side about the tension between running for President and pursuing a major real estate project. I think you said it never came up. Is that fair, when we -- when I asked you earlier?

MR. COHEN: I'm sorry. Your question?

MR. MALONEY: My question earlier this morning was, did anyone in The Trump Organization raise any concerns about pursuing a major real estate project at the same time as Donald Trump was running for President?

MR. COHEN: And I said to you, not that I recall.

MR. MALONEY: So my question now is, did anyone on the Russian side raise any concerns about the fact that they were entering into a deal presumably with someone who was running for President of the United States?

MR. COHEN: No, not that I recall.

MR. MALONEY: Was there any discussion of conflicts of interest?

MR. COHEN: Not that I recall.

MR. MALONEY: No discussion of any ethical concerns, financial disclosures, any issues of any kind?

MR. COHEN: Not that I recall. Well, there would be no financial disclosures.

MR. MALONEY: You said that, on your side, The Trump Organization side, there was an assumption that Donald Trump was going to lose the race?

MR. COHEN: Yes.

MR. MALONEY: Did you ever have a conversation with anyone on the Russian side about whether Donald Trump would lose the race?

MR. COHEN: No, not that I recall.

MR. GOLDMAN: Could I just ask one question?

THE CHAIRMAN: Yes.

MR. GOLDMAN: Did -- there was nothing illegal about building a Trump Tower in Moscow, right.

MR. COHEN: That is correct.

MR. GOLDMAN: Okay.

THE CHAIRMAN: I think we have a couple more minutes, and Mr. Cohen hasn't eaten anything, so I would propose that we take a break and let him get something quick to eat.

MR. COHEN: Thank you.

THE CHAIRMAN: All right. So why don't we shoot for 15-minute break? And then we will resume. So why don't we say at the dot of 2 o'clock?

[Recess.]

[2:08 p.m.]

MR. RATCLIFFE: I want to go over with you your written statement to the Oversight Committee. To the best of your knowledge, is there anything in the statement, written statement that you submitted to the Oversight and Reform Committee yesterday that you believe needs to be amended as incorrect at this point?

MR. COHEN: Not that I'm aware of.

MR. RATCLIFFE: Okay. So I want to ask you --

MR. HECK: I'm sorry, sir. Can you just pull that a little closer? Because when you turn toward him, down here -- I apologize for interrupting.

MR. RATCLIFFE: You bet. No problem.

I want to focus on, if you'd go to the second page, and about halfway down, you make the statement: I'm ashamed that I chose to take part in concealing Mr. Trump's illicit acts rather than listening to my own conscience.

And that's something I want to walk through this with you and make sure that I'm clear on the allegations that you're making with respect to President Trump.

When you say "illicit acts," I want to make sure we're distinguishing between things that are illegal or things that are not illegal. I get that you do not like Mr. Trump.

MR. COHEN: Absolutely inaccurate.

MR. RATCLIFFE: What's inaccurate?

MR. COHEN: I have no animus towards Mr. Trump at all. It's not that I don't like him personally. This is not -- I want to be clear.

MR. RATCLIFFE: Okay.

MR. COHEN: I worked for the man for 10 years. I was exceptionally close to him. This doesn't feel good, and I'd prefer not to be here. But what I'm doing I'm doing because I think it's right. I'm answering to the best of my ability the questions honestly and truthfully because the last time I didn't, I got in trouble for it -- yes, while protecting him, for his benefit.

UNCLASSIFIED

[2:10 p.m.]

MR. RATCLIFFE: Okay. I want to ask you about that. Are you done?

MR. COHEN: I am.

MR. RATCLIFFE: Okay. So --

MR. COHEN: You don't seem to like me very much.

MR. RATCLIFFE: I like everybody.

MR. COHEN: I actually am a pretty nice guy.

MR. RATCLIFFE: So --

MR. COHEN: You know, I'm sorry, just one more. You guys really did love me when I raised about \$140 million with Steve Wynn (ph) for the year, right?

MR. RATCLIFFE: Well, the reason I -- whether you like Mr. Trump or not, the fact is that -- what I wanted to focus on was, whether you like him or not, yesterday you said you didn't trust him. You referred to him as a bad person, as a racist, as a narcissist, all of those things. And my point is this: I don't care about that.

What I care about is I want to find out what crimes you're alleging that President Trump or Mr. Trump, at any time point in time, as a candidate or as the President was involved with. And so, when you talk about concealing illicit acts, I want to focus on crimes. Can we do that?

MR. COHEN: Sure.

MR. RATCLIFFE: Okay. So we've talked already about a number of crimes, some of which you have committed. I want to go through those just to see very clearly whether or not you think that Mr. Trump is involved with respect to any of those.

The first, of course, is your false statements to Congress, for which we've

UNCLASSIFIED

already covered, to which you've pled guilty. I think, not to summarize your testimony, but I heard you say a number of times yesterday that Mr. Trump did not direct you to lie to Congress. Is that right?

MR. COHEN: He did not direct me to lie to Congress.

MR. RATCLIFFE: Okay. Did he indirectly in some way tell you to lie to Congress?

MR. COHEN: Yes.

MR. RATCLIFFE: Is that through the code that you talked about earlier?

MR. COHEN: Yes.

MR. RATCLIFFE: Okay. So that the record is clear, notwithstanding whatever statements you made yesterday, you believe that Donald Trump indirectly told you to lie to Congress.

MR. COHEN: Yes. That along with the statement that was presented, going through his counsel and others, part of the joint defense agreement.

MR. RATCLIFFE: Okay. Can you offer any explanation for why, when the special counsel charged you with 18 U.S.C. 1001, a false statement, he didn't charge you with a conspiracy to lie to Congress?

MR. COHEN: You'd have to ask him that.

MR. RATCLIFFE: Okay.

So you've also pled guilty to some other crimes. Five counts of tax evasion, correct?

MR. COHEN: That's correct.

MR. RATCLIFFE: Did Donald Trump direct you to commit those acts for which you pled guilty to tax evasion?

MR. COHEN: No, he did not.

MR. RATCLIFFE: All right.

You pled guilty to one count of making a false statement to a financial institution. Is it your testimony that Donald Trump directed you to take the actions for which you pled guilty to making a false statement to a financial institution?

MR. COHEN: No, he did not.

MR. RATCLIFFE: All right.

You also pled guilty to one count of making an unlawful corporate contribution. Is it your testimony that Donald Trump in any way directed you to take actions for which you pled guilty to making an unlawful corporate contribution?

MR. COHEN: If you're referring to counts 7 and 8, illegal campaign finance violations, one to Karen McDougal where there was no exchange of money, and count 8, of Ms. Clifford, yes, it was done at the direction of Mr. Trump and in accordance with his instructions.

MR. RATCLIFFE: Okay. So I'll ask you about that.

But so that we're clear, the tax evasion has nothing to do with Mr. Trump. The false statement to a financial institution has nothing to do with Mr. Trump. Is that fair?

MR. COHEN: Asked and answered.

MR. RATCLIFFE: Okay.

So I guess then let me ask it this way. In terms of crimes that you allege that Mr. Trump is involved with, are there any, besides an 18 U.S.C. 1001 charge of you lying to Congress or an unlawful corporate contribution in violation of campaign finance laws, anything other than those two crimes?

MR. COHEN: I'm sorry, sir. I don't understand your question.

MR. RATCLIFFE: So we've identified two crimes that you say you believe Donald Trump in some way directed you to take the actions for which you have pled guilty.

MR. COHEN: No, sir. Three.

MR. RATCLIFFE: Okay. What is the third?

MR. COHEN: The third one is the misstatement to Congress.

MR. RATCLIFFE: Yeah. So I got that.

MR. COHEN: Two for campaign finance violation and one for misrepresentation -- well, for lying to Congress.

MR. RATCLIFFE: All right.

MR. COHEN: I mean, you don't think that I just decided to pay Stormy Daniels money on my behalf, right?

MR. RATCLIFFE: No, I'm very clear on what your testimony is. I just want to make sure that the record is clear. Again, these are not trick questions, Mr. Cohen. I'm trying to identify all the crimes that you're alleging Donald Trump directed you to commit. And you've identified campaign finance violations and lying to Congress.

MR. COHEN: Yes.

MR. RATCLIFFE: Okay. And that's it?

MR. COHEN: That's correct.

MR. RATCLIFFE: Anything else?

MR. COHEN: I mean, the record is what the record is. Yes.

THE CHAIRMAN: Counsel, can I just seek a clarification? Are you asking him about crimes he's aware that the President committed in conjunction with his own plea? Or are you asking even beyond those offenses that he pled guilty to?

MR. RATCLIFFE: Yeah, fair question.

So my questions initially were, of the crimes that you have committed, which ones do you believe Donald Trump directed you to commit? And as I understand, we've covered that. You think that Donald Trump in some way directed you to lie to Congress and to commit campaign --

MR. COHEN: Count 7 and count 8.

MR. RATCLIFFE: Campaign finance violations. Is that fair?

MR. COHEN: From the plea agreement, count 7 and count 8.

MR. RATCLIFFE: Okay.

All right. So, looking at the statements that you made in your written statement, go to page 3. You submitted documents in connection with your testimony yesterday. And, again, to the point of trying to establish evidence that you believe supports the allegations of any crimes involving Mr. Trump, I want to walk through these.

The first that you identify on page 3 is the copy of the check from your personal account.

MR. COHEN: No, sir. From his personal account.

MR. RATCLIFFE: I'm sorry. From Mr. Trump's personal --

MR. COHEN: I already laid out the money once before.

MR. RATCLIFFE: Okay. So it is your testimony that that is evidence of the crime of an unlawful corporate contribution or a violation of campaign finance laws?

MR. COHEN: Are you asking me for a legal conclusion?

MR. RATCLIFFE: I'm just asking you what evidence of -- well, what evidence of -- that is evidence of what crime, in your opinion?

MR. COHEN: Well, it's a payment in furtherance of the hush money that I paid to Ms. Clifford.

MR. RATCLIFFE: Okay. So the campaign finance violation.

MR. COHEN: Yes.

MR. RATCLIFFE: That's what you believe that that is evidence of, that crime?

MR. COHEN: Yes.

MR. RATCLIFFE: Okay.

The next item that you submitted, copies of financial statements for 2011 to 2013 that he, meaning Mr. Trump, gave to such institutions as Deutsche Bank.

In your opinion, those financial statements evidence what crime by Mr. Trump, if any?

MR. COHEN: I'm not so sure that I'm supposed to be here acting as a judge. Right? I just lost my law license, so I'm not really -- I mean, I don't know. Whatever -- I turned it over as part of evidence simply for you guys to decide what you want to do with it. It's not for me to decide.

MR. RATCLIFFE: Well, to be fair, Mr. Cohen, this is your statement which you gave to Congress. And I'm asking you why you submitted these documents.

Do you believe -- all I'm asking you -- again, this is not a trick question. Do you believe that these documents evidence some crime?

MR. COHEN: I don't believe, sir, in my statement I reference the 2011 through 2013 financial statements as evidence of any crime.

MR. RATCLIFFE: That's what I'm asking.

MR. COHEN: Right. The statement reads for itself.

MR. RATCLIFFE: Okay. So --

MR. COHEN: I believe what I wrote.

MR. RATCLIFFE: You just submitted that for informational purposes.

MR. COHEN: That's correct.

MR. RATCLIFFE: Okay. All right.

So the next item, a copy of an article with Mr. Trump's handwriting on it that reported on the auction of a portrait of himself, that he arranged a bidder ahead of time and then reimbursed the bidder from the account for his nonprofit charitable foundation, with the picture now hanging in one of his country clubs.

Did you submit that because you believe it's in evidence of some crime by Mr. Trump? And if so, what crime would that be related to?

MR. COHEN: Well, I did it, again, for informational purposes. Plus, could be issues regarding the foundation, improper usage of the foundation.

MR. RATCLIFFE: Okay.

And, finally, the last item that you submitted were copies of letters that you wrote at Mr. Trump's direction that threatened his high school, colleges, and the College Board not to release his grades or SAT scores.

Again, was that submitted because you believe it's evidence of some crime, or was it just for informational purposes?

MR. COHEN: Informational.

MR. RATCLIFFE: Okay.

So, with respect to the allegations where you talk about concealing Mr. Trump's illicit acts, the documents that you submitted in connection with your testimony yesterday related to the copy of the check.

MR. COHEN: Checks.

MR. RATCLIFFE: Is that fair?

MR. COHEN: Yes.

MR. RATCLIFFE: Okay.

MR. DAVIS: Did you use the plural?

MR. COHEN: Yes, he used the plural.

MR. RATCLIFFE: Checks. He clarified.

MR. DAVIS: Thank you.

MR. RATCLIFFE: You're welcome.

All right. So, if you would, turn to page 7 of that statement. Again, I want to confirm this just so we're clear. Halfway down, your statement reads: Yet, last fall, I pled guilty in Federal court to felonies for the benefit of, at the direction of, and in coordination with Individual 1.

Did I read that correctly?

MR. COHEN: Yes.

MR. RATCLIFFE: Okay. So, again, to the question of what you pled guilty to at the direction -- we've covered the full extent of the crimes that you believe --

MR. COHEN: Yes.

MR. RATCLIFFE: -- related to Mr. Trump, which are campaign finance violations and lying to Congress. Right?

MR. COHEN: Yes.

MR. RATCLIFFE: Okay.

All right. So we've talked about different kinds of evidence today, and I'm not going to make this a legal matter, but I want to walk through what you've related about your suspicions as to why Donald Trump may have been colluding or coordinating or conspiring with the Russians. And you've given us, I believe,

four examples, some of which are covered in this statement.

So let me ask you about --

MR. COHEN: Boy, I wish yesterday would have gone last.

MR. RATCLIFFE: I'm sorry. I didn't --

MR. COHEN: I wish yesterday would have been last.

MR. DAVIS: Of the three hearings.

MR. RATCLIFFE: Got it.

So turn to page 10 of your statement and the matter that you've talked about earlier that you believe provides some basis for suspicion as it pertains to the conversation that you overheard with Mr. Trump and Mr. Stone. And you were in the room in July of 2016. I believe, for the record, to clarify, your testimony yesterday, I believe, do you -- again, I believe your testimony was that you think that this conversation took place on --

MR. COHEN: Either on the 18th or the 19th.

MR. RATCLIFFE: 18th or 19th of --

MR. COHEN: Yeah, and I believe it was the 19th.

MR. RATCLIFFE: To the best of your recollection.

MR. COHEN: Yes, because I --

MR. RATCLIFFE: Okay. So -- and you state: Mr. Stone told Mr. Trump that he had just gotten off the phone with Julian Assange.

MR. COHEN: That's accurate.

MR. RATCLIFFE: Okay. You didn't hear -- what evidence do you have that Mr. Stone actually had just gotten off the phone with Julian Assange or had talked to him?

MR. COHEN: None.

MR. RATCLIFFE: Okay.

And then it goes on, that Mr. Assange had told Mr. Stone that within a few days there would be a massive dump of emails that would damage Hillary Clinton's campaign.

Same question. What evidence do you have that Mr. Assange actually told Mr. Stone that?

MR. COHEN: None.

MR. RATCLIFFE: So, as lawyers, we know these are hearsay conversations, right?

MR. COHEN: Except for the fact that it did happen.

MR. RATCLIFFE: How do you know that?

MR. COHEN: Because I read it in the newspaper.

MR. RATCLIFFE: Okay.

MR. COHEN: It did happen.

MR. RATCLIFFE: So everything in the newspaper is true?

MR. COHEN: No.

MR. RATCLIFFE: Okay.

MR. COHEN: Only the negative stuff against me is not true.

MR. RATCLIFFE: All right. So --

MR. COHEN: But they were published as well.

MR. RATCLIFFE: And so --

THE CHAIRMAN: Just for clarity, Mr. Cohen, when you said because it did happen, you're talking about the dump of the documents?

MR. COHEN: Yes, sir.

MR. RATCLIFFE: I'm asking about the conversations.

MR. COHEN: Oh, I apologize then.

MR. RATCLIFFE: Okay.

MR. COHEN: I'll try to stay focused.

MR. RATCLIFFE: Okay. So what evidence do you have that these conversations actually took place?

MR. COHEN: None.

MR. RATCLIFFE: Okay.

And so then you go on to say: Mr. Trump responded by stating to the effect of, wouldn't that be great?

MR. COHEN: That was what he said to Roger Stone.

MR. RATCLIFFE: Yes. I understand. Okay.

Assuming all of that is true, that would be evidence of what crime?

MR. COHEN: I'll leave that to you.

MR. RATCLIFFE: Okay. Well, if the record reflects that on July 7th Mr. Assange had actually sent out a tweet that WikiLeaks was going to make a dump of campaign-related emails of Hillary Clinton or the DNC -- and I'll let the record reflect, itself, whether or not Mr. Assange or WikiLeaks sent out such a tweet -- how would that be, again, evidence of any conspiracy, collusion, or coordination by Mr. Trump?

MR. COHEN: Again, I don't want to play lawyer in this matter, but foreknowledge of hacking of the DNC's system and the release of information, possibly.

You know, Mr. Trump further, you know, stated to me afterwards, you know, do you believe Roger? Because --

MR. RATCLIFFE: But I guess my point is Roger Stone could have learned

that from the tweet 12 days earlier.

MR. COHEN: That's very possible.

MR. RATCLIFFE: Okay.

MR. COHEN: That's not what the -- all I did is state the conversation as I heard it. I didn't draw conclusions. You know, I didn't talk about -- I didn't put in my legal, you know, analysis of the information.

MR. RATCLIFFE: I get that, but I'm just trying to clarify the record, because earlier today you said you believe that provided some basis for you to make a suspicion or it was circumstantial evidence of --

MR. COHEN: It is my suspicion, though. It's my suspicion.

MR. RATCLIFFE: Okay. So based in part on this conversation?

MR. COHEN: Yes.

MR. RATCLIFFE: Okay. So let me ask you about that, because I'm trying to understand. And, again, these aren't trick questions, Mr. Cohen. But, again, as I think the record is clear, you spent nearly every day with Donald Trump from 2007 to 2017, correct?

MR. COHEN: That's correct.

MR. RATCLIFFE: And you said as many as 10 to 20 times a day you had conversations with him. Is that correct?

MR. COHEN: Yes.

MR. RATCLIFFE: And you also said that until the Trump Russia Moscow project, you'd had a handful of conversations with him about expressions of interest in doing something in Russia. Correct?

MR. COHEN: From 2007 all the way through 2015, yes.

MR. RATCLIFFE: Okay. So let me ask you then, these suspicions about

UNCLASSIFIED

Donald Trump potentially colluding with Russians for any purpose, when did you first have them? Was there something about the handful times from 2007 to 2015 that gave you cause to believe that Donald Trump was in some way colluding with Russians or was acting as an agent of the Russian Government?

MR. COHEN: From 2007 to 2015? No. No, I don't believe during that time that he was an agent. But I am unsure --

MR. RATCLIFFE: So at what time did you first begin to have suspicions that he might be colluding or conspiring or in any way coordinating with the Russians? I'm just asking --

MR. COHEN: But I'm not sure that my statement uses those words at all. You're putting words into my mouth. I never said Donald Trump was an agent of Russia.

MR. RATCLIFFE: I understand that. My question to you is --

MR. COHEN: Nor did I say that he or the campaign were colluding. What -- I turned around and said that I had suspicions. And my suspicion on this was predicated on the fact that I was in the office when Roger called. He asked me what he asked me, do you believe Roger? I don't know. It's Roger. Roger's Roger.

Next thing you know, 2 or 3 days later, out comes the emails. So did I then believe that Roger Stone was engaging in communication with Julian Assange? Yeah. Probably. I don't know.

MR. RATCLIFFE: So the timing of your suspicions began in or around that time. The first time that Donald Trump was in some way colluding or coordinating with the Russians, it would have been in that timeframe?

MR. COHEN: Roger Stone was involved with Julian Assange, in my

UNCLASSIFIED

UNCLASSIFIED

opinion -- or had some relationship, connection to him, in my opinion. Plus, based upon the fact that he made this statement to Mr. Trump and then a couple days later the DNC emails are released.

MR. RATCLIFFE: Okay.

MR. COHEN: And if it wasn't him who had the relationship, it was somebody who he was speaking to that maybe had the relationship.

MR. RATCLIFFE: Okay. Fair enough.

So my point in raising Donald Trump being an agent of the Russian Government acting as --

MR. COHEN: I'm sorry, I couldn't hear you over his sneeze.

MR. COHEN: The reason I raised the issue of Donald Trump -- the allegation of Donald Trump being an agent of the Russian Government or acting at the behest of the Russian Government in colluding or obstructing is because by early 2017 senior members of the Department of Justice and the FBI were making those allegations.

I would like to know what your impression was in early 2017 about the possibility that Donald Trump could have been an agent of the Russian Government, given that you had spent all day with him every day, 10 to 20 times a day talking to him from 2007 to 2017.

Would it have been possible for Donald Trump to be agent of or acting at the behest of the Russian Government in 2017 without you knowing it, given what you've related about spending time with him?

MR. COHEN: When you say an agent, can you define what you mean by an agent?

MR. RATCLIFFE: So --

UNCLASSIFIED

UNCLASSIFIED

MR. COHEN: I mean, I don't think Donald Trump was a double agent for Russia here in the United States. I don't know what -- I truly don't know what you're referring to.

MR. RATCLIFFE: Well, again, what I'm referring to is the public record that senior officials at the Department of Justice and the FBI were investigating Donald Trump and the Trump campaign upon the concern that he was acting at the behest of the Russian Government. I just want to know, in 2017, when you heard that --

MR. COHEN: Okay. So I can't tell you he was acting as an agent. We're acting in the best interest of The Trump Organization for financial gain when it came to the Trump Tower Moscow project. That's what we were doing.

MR. RATCLIFFE: Okay.

MR. COHEN: I don't know about agent and whether or not he was -- or he was providing classified information to Vladimir Putin. It's none of my -- this isn't my -- it's not my swimming lane. I've never seen Mr. Trump engaging in any, you know, clandestine --

MR. RATCLIFFE: And that's my point.

MR. COHEN: Right.

MR. RATCLIFFE: And you were with him every day for 10 straight years.

MR. COHEN: I was with him a lot, yes.

MR. RATCLIFFE: And that's my point, is do you think you would have known that?

MR. DAVIS: Excuse me. Just for clarification --

MR. RATCLIFFE: It's just an opinion.

MR. DAVIS: -- you're asking him what his opinion is about what would be

UNCLASSIFIED

UNCLASSIFIED

the case based upon his past experiences?

MR. RATCLIFFE: Again -- yeah. Respectfully, I guess what I'm getting at is --

MR. COHEN: I don't think he's an agent of Russia. I think he likes Russian women, but I don't think he's an agent of Russia.

MR. MONICO: That's not a crime, liking Russian women.

MR. COHEN: No. Actually, it's funny, I have a document that he wrote on the Miss Universe Pageant with a letter that he had sent, I think, to Vladimir Putin: "Russian women are beautiful," with an exclamation mark. So, yes, he does like Russian women, for the record.

MR. RATCLIFFE: I may yield to my colleague from Texas, Mr. Conaway.

MR. CONAWAY: I'll talk real loud.

On page 3, you said that you filed false financial statements with Deutsche Bank. Was Deutsche Bank your largest creditor? Or how did you -- I'm sorry, page 3 of your statement. Was Deutsche Bank your largest creditor? Why did you list that bank and not some other bank?

MR. COHEN: Congressman, I don't agree with your question. I never stated that Mr. Trump filed false financial statements with Deutsche Bank.

MR. CONAWAY: No, I said you did.

MR. COHEN: I didn't say that. Where do you -- that's not what it says.

MR. CONAWAY: All right, so why did you list Deutsche Bank on your statement? Is that the largest creditor at that point in time?

MR. COHEN: My creditor? Or are you talking about The Trump Organization?

MR. CONAWAY: I assume those copies of financial statements that you

UNCLASSIFIED

filed were your financial statements.

MR. COHEN: No, sir. They're personal financial statements of Donald Trump.

MR. DAVIS: They're publicly available, and they were seen by hundreds of millions of people.

MR. CONAWAY: I'm just trying to figure out why that bank.

MR. DAVIS: Take a look at the public statements that were filed --

MR. CONAWAY: All right. Thank you.

MR. COHEN: I referred, back in -- just to save you some time. In my statement, I talked about how we used that financial statement when we were looking to obtain money when we were looking to purchase the Buffalo Bills.

MR. CONAWAY: All right.

Then, on page 10, that timeframe, that phone call in 2016, you were still a lawyer for President Trump -- or candidate Trump, Mr. Trump?

MR. COHEN: Yes.

MR. CONAWAY: You had a license at that time?

MR. COHEN: I did.

MR. CONAWAY: So I'm a CPA, not a lawyer.

MR. COHEN: Could've used you.

MR. CONAWAY: If you believed at that time that he was doing some wrong, did you have some sort of duty as a lawyer to tell him that?

When you overheard the phone call with -- alleged phone call between Stone and Assange and then the phone call you overheard with Stone and President Trump, you said that added to your suspicions that something was amiss.

As a lawyer, would you have had a duty to tell your client and/or your employer that something was out of whack with that?

MR. COHEN: Based off of my suspicion?

MR. CONAWAY: Yes.

MR. COHEN: I don't know the answer to that.

MR. CONAWAY: Were you a lawyer at that time?

MR. COHEN: That doesn't mean that I know every fact and circumstance of what I should do. If I would've said that to Mr. Trump, I would've been fired immediately.

MR. CONAWAY: Yeah. You're a member of the bar, and the bar has a code of ethics, and you're telling me that at that point in time you were unfamiliar with the bar's code of ethics in terms of your duty as a lawyer?

MR. COHEN: That's not what I'm saying. That's not what I'm saying, sir.

MR. DAVIS: Please don't put words in his mouth. Let him answer, please.

MR. CONAWAY: Okay.

MR. DAVIS: Thank you, sir.

[2:38 p.m.]

MR. COHEN: If every time that there was something that seemed amiss that I overheard, I'd spend half of my day looking up to see whether or not I was responsible to tell him on every single thing that's wrong that he's doing. I would probably last there all of 10 seconds.

MR. CONAWAY: So you're saying then that you weren't really a lawyer in that full sense.

MR. COHEN: When I was sitting in that room --

MR. CONAWAY: Yeah.

MR. COHEN: -- at the time? I don't know what I was working on. I did do some legal work, but, no, I was not. There was general counsel; there were 10 other counsels that were there. I was his special counsel. My job was to take care of matters that were of significance and importance to him.

MR. CONAWAY: So you didn't believe that that phone call was a matter of significance to him from a legal standpoint, based on your training as a lawyer.

MR. COHEN: I didn't consider it at the time, no.

MR. CONAWAY: Thank you.

I yield back.

MR. RATCLIFFE: All right. So I think you've made clear your recollections for the record regarding the Roger Stone conversation that you believe serves as the basis for your suspicions. I want to ask you now about the meeting that involved Don Jr. that you relayed on page 16 and 17 of your written statement, if you'd turn to that.

And as I mentioned earlier, at the bottom -- and your sworn testimony was

UNCLASSIFIED

that you did not have direct evidence that Mr. Trump or his campaign colluded with Russia but you had your suspicions.

And then you, on page 17, relate an event that took place in the summer of 2017, correct?

MR. COHEN: The meeting took place in June of 2016.

MR. RATCLIFFE: Right. But as I read this, the meeting took place in June of 2016 with Don Jr., the President, and you, where Don Jr. came into the room and walked behind his father's desk. That happened in --

MR. COHEN: June of 2016.

MR. RATCLIFFE: June of 2016.

MR. COHEN: Approximately, yes.

MR. RATCLIFFE: But your testimony, just so I'm trying to make sure that I'm clear, it was a year later, in the summer of 2017, that you first learned about the Trump Tower meeting, as people refer to it in the news?

MR. COHEN: Yes.

MR. RATCLIFFE: All right. So your testimony is that in 2017 you remembered something from a year earlier and that it was this --

MR. COHEN: -- episode.

MR. RATCLIFFE: -- episode, that you heard Don Jr. say, the meeting is all set, and Mr. Trump saying, okay, good, let me know.

MR. COHEN: Yes. I actually state that in my paragraph itself. Something clicked in my mind.

MR. RATCLIFFE: Okay.

So I want you to explain for me. You've gotten it written down here. When you say that you know this meeting was related to the Trump Tower

UNCLASSIFIED

meeting and that's what they were referring to, explain to me how you know.

MR. COHEN: I don't know 100 percent for certain, but I said something just clicked in my mind. I was sitting, watching television, and I had seen also in the newspapers, when they, especially with CNN, had a bunch of silhouettes of individuals, and they were talking about this meeting that Don Jr. attended with -- whatchamacallit -- with Jared Kushner and Manafort, and I said, ah, I bet that was -- that's got to be the meeting, because it was just so odd --

MR. RATCLIFFE: Okay.

MR. COHEN: -- that he walked in -- normally, you know, he would shout it from the door or he would call his father from the phone. He just came in and he just --

MR. RATCLIFFE: Okay. And I just want to make --

MR. DAVIS: Let him finish, please.

MR. RATCLIFFE: Okay. Fair enough.

MR. COHEN: And that's just how it happened. So, in my mind, something just clicked, and I believe that that's the meeting that they were referring to.

MR. RATCLIFFE: Okay.

MR. COHEN: Now, I have no evidence to give to you other than the statement was -- telling you that the statement was made and that just was my impression of it. It was my suspicion.

MR. RATCLIFFE: Okay. And I'm trying to be fair about this, but --

MR. COHEN: And it's all stated in my statement. All we're doing is we're parsing my words.

MR. RATCLIFFE: No, but I'm not. Because what your words were today,

what you just said was, I'm not 100 percent certain. And in your statement, you say on page 18, Mr. Trump knew that -- knew that was the meeting Don Jr. was talking about. And --

MR. COHEN: No, sir. Sir, that's unfair. That's unfair.

MR. RATCLIFFE: All right.

MR. COHEN: This is why I said that you're parsing words. So, comma, I concluded that Don Jr. was referring to that June 2016 Trump Tower meeting. Right? It's my conclusion. It's my conclusion.

MR. RATCLIFFE: Okay.

MR. COHEN: Okay.

MR. RATCLIFFE: So you don't know.

MR. COHEN: And that Mr. Trump knew. So the answer is, I sit here before you and I'm telling you that, no, I am not 100 percent certain. As I said, it was my suspicion.

MR. RATCLIFFE: Great.

MR. COHEN: And that's how I wrote it.

MR. RATCLIFFE: Thanks for clarifying.

MR. COHEN: You're welcome, sir.

[Discussion off the record.]

MR. RATCLIFFE: So I want to ask you, earlier today, I thought I heard you use, in referring to the Trump Moscow project, at one point -- and I may have misheard. I thought you heard you say "letter of interest" and --

MR. COHEN: Intent.

MR. RATCLIFFE: Letter of intent.

MR. COHEN: Never "interest." "Intent."

MR. RATCLIFFE: Okay. And remind me of the date of the letter of intent.

MR. COHEN: It was signed October 28th.

MR. RATCLIFFE: Of?

MR. COHEN: 2015.

MR. RATCLIFFE: Okay. And a letter of intent would be nonbinding?

MR. COHEN: Absolutely not binding.

MR. RATCLIFFE: So how many letters of intent -- can you give me an estimate of how many letters of intent, like the one involving the Trump Moscow project, as it's been referred to, are signed by The Trump Organization or on behalf of The Trump Organization every year?

MR. COHEN: Quite a few.

MR. RATCLIFFE: Like?

MR. COHEN: I don't know because --

MR. RATCLIFFE: I'm trying to get an idea. Are we talking, like, dozens, or are we talking hundreds, or are we talking --

MR. COHEN: No. I would say -- I would say --

MR. RATCLIFFE: If you know.

MR. COHEN: Actually, I don't know. I don't know exactly. I just know that there was always projects that were in the works.

MR. RATCLIFFE: A lot?

MR. COHEN: Yeah. There was always something going on.

MR. RATCLIFFE: And can you give me any estimate of the percentage of letters of intent that become actual contracts?

MR. COHEN: A small number.

MR. RATCLIFFE: Can you give me an estimate?

MR. COHEN: Less than 5 percent.

MR. RATCLIFFE: Okay. So the fact that there was a letter of intent with this project would be indicative of the fact that it's a long way from being an actual deal that was going to be consummated.

MR. RATCLIFFE: The deal doesn't get consummated until definitive documents are drawn and executed. The fact is, in this case, the letter of intent is open, and it's just considered an active potential project.

MR. RATCLIFFE: And, again, so the record's clear, when this project that resulted in the letter of intent on October 28, 2015, when you first broached the subject of it with Mr. Trump, his reaction was, be careful.

MR. COHEN: Yes, with Felix.

MR. RATCLIFFE: Okay.

I'm at a good breaking point. Do you have any questions? Okay. All right.

We'll pass the remaining time for this round and start on the --

THE CHAIRMAN: Thank you, Mr. Ratcliffe.

I just have a couple questions before I turn it back to staff.

Mr. Cohen, you were asked about your conclusion that the meeting you heard Don Jr. talking to his father about was the meeting with the Russian delegation in Trump Tower. And I want to ask you about that, quite separate and apart from whether that conversation that you overheard was about that meeting.

Can you tell us about the relationship between father and son and whether it's your understanding that the son would take a significant action, like that meeting, without informing his father?

And let me just preface it by referring you to some remarks that Steve

UNCLASSIFIED

Bannon made when he opined that there was zero chance that that meeting would go forward without Don Jr. informing his father.

MR. COHEN: Yes.

THE CHAIRMAN: Do you agree with Mr. Bannon's observation? And what about the relationship would lead you to that conclusion?

MR. COHEN: Absolutely. I can say with certainty that Mr. Bannon is 100 percent accurate in that statement.

Mr. Trump often said -- and it was embarrassing to be, sometimes, in the room. He has a very unique type of relationship -- he's very hard on Don Jr., harder than he is on Ivanka or Eric. And Mr. Trump is not shy in front of people to say that Don Jr. has the worst judgment of anyone he's every met.

And it's actually one of the reasons I ended up in the company. I was working on a project -- well, I trying to close it down. It was a license deal of a gentleman that he somehow knew, and it was involving Trump Mortgage. And before even working at The Trump Organization, I was assisting him in terms of shutting down Trump Mortgage. And it was a Don Jr.-type deal.

Then, of course, there were others along the way, and ultimately even with the property that they have in Charleston, where I had to go to Mr. Trump and ask for \$3.5 million to purchase a note that was going to be defaulting on a property on Pace Street.

Getting that money from Mr. Trump was not easy. And he, of course, was angry at Don. This was a project outside of The Trump Organization. It was with Deutsche Bank, who had made the loan. And it was personally guaranteed by Don, and it would've looked terrible if, in fact, they had to foreclose on the note.

So I use those just as examples. I can give you many -- I can give you

UNCLASSIFIED

UNCLASSIFIED

more. But Mr. Trump and Don Jr. have a complicated relationship. Again, he would always say Don has the worst judgment.

Interestingly enough, though, I don't believe anybody would have taken that meeting at The Trump Organization or with the campaign without Mr. Trump knowing, because he micromanaged everything. There was a conversation, right after that conversation, that was relevant to move it either backwards or forwards. You went into his office and you told him. And I just got a response, what do you think? This is what I want to do. And he'll tell you, okay, I'll agree, or I don't.

THE CHAIRMAN: So, Mr. Cohen --

MR. COHEN: Sorry for the longwinded explanation.

THE CHAIRMAN: Because father, Donald Trump, had such profound questions about the judgment of Don Jr. and made that clear to Don Jr., was it --

MR. COHEN: To everyone.

THE CHAIRMAN: To everyone. Was it clear to Don Jr. that he could not undertake serious steps in the campaign or business without his father's approval?

MR. COHEN: Yes, and he knew it.

THE CHAIRMAN: And more than that, that having undertaken a step with the approval of his father, he would then be compelled to tell the father how it went.

MR. COHEN: Yes.

And the reason -- again, this is my opinion -- the reason why Jared and Manafort were in the room at the time was because he would never let Don do that by himself.

So after -- this is, again, my speculation from 10 years of being around both of them. He would turn around and say, Dad, I got a -- I'm taking this meeting.

UNCLASSIFIED

Okay. He doesn't trust him. "Make sure Jared," who is the secretary of everything, "along with Manafort," who was the campaign chairman at the time, "make sure that they're in the room with you. Make sure they join."

THE CHAIRMAN: Mr. Cohen, based on your understanding of these players within the Trump world, is it your surmise that the presence of both Kushner and Manafort at the meeting with the Russian delegation at Trump Tower was on the instructions of Donald Trump, the father?

MR. COHEN: I believe so, yes.

THE CHAIRMAN: Now, you expressed your less than certitude with Mr. Ratcliffe that the conversation you heard was about Trump Tower, but you're quite certain that a decision of that magnitude, to take the meeting with a foreign delegation offering dirt on a political opponent, you're quite certain that that would not have been undertaken without Donald Trump, Sr., knowing about it.

MR. COHEN: Absolutely.

THE CHAIRMAN: You were also asked by my colleague, effectively, whether you believe Donald Trump was an asset of the Russians, going back decades, as some have surmised based on a variety of things.

Let me ask you a slightly different question. One of the tradecraft the Russians use is financial entanglement to get people to do their bidding, whether they're an asset or not. How important was money to Donald Trump?

MR. COHEN: It seems like an obvious question, but very.

THE CHAIRMAN: How important was his net worth? You talked yesterday about how he wanted to be inflated on the Forbes index. How important to him was his wealth compared to others?

MR. COHEN: Greater.

THE CHAIRMAN: And the Trump Tower Moscow building, as I understand it, you testified, could have been worth hundreds of millions to The Trump Organization. Is that right?

MR. COHEN: That's correct.

THE CHAIRMAN: And that's way in excess of a normal licensing agreement, isn't it?

MR. COHEN: Yes, it's greater. And the economics that I negotiated with Mr. Sater were greater than other licensing deals.

THE CHAIRMAN: And, you know, my colleague asked you about whether there were any discussions about the propriety or conflict of interest of pursuing this deal while you're running for President. Let me ask you about that. And I know we're going to go into this in more detail later, and I apologize for jumping ahead. But in one of the documents, you emphasize there can't be any public discussion of Trump Tower Moscow until this deal is complete, correct?

MR. COHEN: Yes.

THE CHAIRMAN: Now, once the deal was complete, then it's going to be become public eventually, right?

MR. COHEN: Yes, because the intent was to have Mr. Trump go to Russia for a groundbreaking ceremony.

THE CHAIRMAN: So both you and the Russian Government and, if the Kremlin needed to be involved, the Kremlin would know that if the deal was consummated it would become public, correct?

MR. COHEN: Absolutely.

THE CHAIRMAN: And would there then be an incentive for the Russian Government not to consummate this deal before the election, if the deal would

UNCLASSIFIED

have to become public if consummated?

MR. COHEN: It's plausible.

THE CHAIRMAN: Would the desire to make that money from the Russians be a motivating -- from this deal be a motivating factor for Mr. Trump?

MR. COHEN: Yes. We wanted the project to go forward.

THE CHAIRMAN: You talked about the statements with the lawyer to characterize the meeting at Trump Tower about adoptions rather than what it was about, sanctions. Is that right?

MR. COHEN: Yes. That's what I read.

THE CHAIRMAN: The Russians wanted relief from sanctions?

MR. COHEN: That's what I read. Yes.

THE CHAIRMAN: At the same time Donald Trump wanted to make all this money from Russia.

MR. COHEN: From the Trump Tower Moscow project, yes.

THE CHAIRMAN: Do you see how that might be compromising to Mr. Trump?

MR. COHEN: It's plausible. Yes.

THE CHAIRMAN: And, lastly, you were asked about conversations with Mr. Stone and why it would be necessary for Mr. Trump to either elicit information from Mr. Stone about Julian Assange if it was already something that Julian Assange was tweeting about.

Let me ask you about something that's in the pleading -- the indictment against Roger Stone. It states: After the July release of stolen DNC emails by Organization 1, a senior Trump campaign official was directed to contact Stone about any additional releases and what other damaging information Organization 1

UNCLASSIFIED

had regarding the Clinton campaign.

Who would have been in a position to direct a senior campaign official?

MR. COHEN: I would suspect Mr. Trump.

THE CHAIRMAN: And if Mr. Trump was directing a campaign official -- senior campaign official, do you have any idea who that would be he'd be directing to reach out to Stone?

MR. COHEN: I don't know who they're referring to in that. It would have to be also on whatever the time period was, because there was a period of time there was Corey Lewandowski, and then after Corey it became Manafort, and then Manafort was with Bannon, and then after Bannon, Kellyanne Conway joined. So I don't know who they're referring to.

THE CHAIRMAN: And then --

MR. COHEN: But, sir, Mr. Chairman, it's more than just the fact that he was getting information that he would be able to use or that would help to compromise the Hillary Clinton campaign. It was also because it was for free. I mean, he'd be getting this information, this opposition research for free. And that's why he wanted it also.

THE CHAIRMAN: And the timing and the content of this. Anything that went beyond Mr. Assange's tweet, if he was able to find out information, would be of value to the campaign?

MR. COHEN: Yes.

THE CHAIRMAN: Mr. Goldman.

BY MR. GOLDMAN:

Q Just following up on that meeting related to where the call with Roger Stone was, you testified that Stone told Trump that he had spoken to Assange. Is

UNCLASSIFIED

that right?

A Yes.

Q Okay. When Mr. Trump got off the telephone with Roger Stone, did it seem like he already knew that this information was coming?

A No.

Q You were talking earlier about your suspicions, and we had a conversation about circumstantial evidence. Let me lay out this timeline for you. This conversation, you say, was July 18th or 19th. Is that right?

A That's correct.

Q The dump of the DNC emails was July 22nd.

A Okay.

Q And then on July 27th, do you recall that Donald Trump made a public request to Russia to find Hillary Clinton's --

A The 30,000 emails on Hillary Clinton, yes.

Q Okay. Did he make that public request of China?

A Not that I recall.

Q Did he make that public request of any other country?

A Not that I recall.

Q So would this be something that might be considered a suspicious statement by the President, in your mind?

A Plausible.

Q And let's talk just for a second about Roger Stone in terms of the senior official. The pleading is around the same period of time, in July of 2016. Does Roger -- are you aware of Roger Stone having a long-term relationship with Paul Manafort?

UNCLASSIFIED

A Yes.

Q And at that time of the campaign, July 2016, was Paul Manafort the campaign chairman?

A I apologize. I don't know the answer to that.

Q Now, Roger Stone and Donald Trump, what's their relationship like?

A They've known each other a long time.

Q Do they speak regularly?

A When the political game was going on, whether it was in 2011, and then again starting in 2015, yes, more often than in the time period in between.

Q So when there was something political that Trump was interested in, Stone would have a more active involvement with him, correct?

A Yes.

Q Now, have you heard Roger Stone be called in the media and others a dirty trickster?

A Yes. That's also how Mr. Trump used to refer to him.

Q And so, based on your knowledge of Roger Stone and your knowledge of what Trump has said about Roger Stone, okay, do you believe that the foreknowledge of the release of hacked emails is the type of thing that Roger Stone would know about?

A I don't -- I mean, I have no knowledge as to whether he would or he wouldn't. It is something that Roger Stone would talk about or would be capable of doing, in my opinion.

Q Okay.

And real quick, before we get back to some of your other testimony in response to some of Mr. Ratcliffe's questions, Mr. Ratcliffe asked you why you did

not plead guilty to conspiracy to make false statements. But you were the one who actually made the false statements. Is that right?

A I made the false statements.

Q And so, if someone else encouraged you to make the false statements, then that person would be charged with conspiracy to commit false statements --

A As a co-conspirator.

Q -- right?

A Yes.

Q But you were the one who actually did it.

A That's correct.

Q And then you went through some of the evidence that you presented yesterday, or the documents that you presented yesterday, and you discussed with Mr. Ratcliffe what the purpose was and whether it was for something illegal or just something, you know, reputationally harmful to his character, right? Do --

A Yes.

Q -- you remember that? All right.

Now, you're not a securities lawyer, are you?

A No.

Q So are you familiar with securities law and accounting regulations?

A No.

Q So you wouldn't necessarily know -- and, in fact, that was not your role at The Trump Organization, right?

A That's correct.

Q So you would not know how Donald Trump or The Trump Organization

UNCLASSIFIED

might have marked the reimbursement checks that you got from them on their books and records?

A I have no idea. Plus, at the time that I started receiving the monthly checks, I was no longer even located there. I had already vacated.

Q Right. But you're not familiar with how they would have -- what they would have done with those accounts payable on their accounting?

A No. There are three people that -- well, actually, four -- approximately four people that would know. Potentially Mr. Trump -- oh, I'm sorry.

Q Yeah. No, that's fine.

A Mr. Trump -- do you want me to continue or no?

Q Yes. Go ahead.

A Mr. Trump, Alan Weiselberg, Jeff McConney, and possibly Deborah Tarasoff because she's the one who prints out all the checks, so she would know under what code it was going.

Q Can you spell "McConney" for the record?

A M-c-C-o-n-n-e-y.

Q Okay.

And then, finally, there was some discussion of the personal financial statements of Donald Trump for 2011 and 2013 that you provided to the Oversight Committee and to this committee. Is that --

A As well as 2012.

Q Sorry. As well as 2012. Right.

Do you have any knowledge of everything that The Trump Organization might have used those personal financial statements for?

A No.

UNCLASSIFIED

Q So would you consider that to be evidence of fraud?

Let me take a step back. Do you believe those financial statements are inaccurate?

A Yes.

Q Why do you believe that?

A Well, first of all, despite the letter from Jonathan Lowe of Predictive, which talks about the value of the Trump brand, I don't believe that \$3 billion number is legitimate.

Q What about the other numbers that are on there?

A And then -- I was going backwards. Sorry.

And then, as far as the assets are concerned -- and this is something that's also pretty well known -- Mr. Trump makes determinations based upon -- he makes determinations on the value of the asset based upon his personal feeling.

Q Did Mr. Trump direct you or Mr. Weiselberg to inflate the numbers for his personal statement?

A I'm sorry. Did he ask me to inflate the numbers? Not that I recall, no.

Q Did you overhear any conversation with Alan Weiselberg about these numbers?

A Conversation between Mr. Trump and Alan Weiselberg?

Q Uh-huh.

A No. The statements that I had heard from Mr. Trump directing me and Alan Weiselberg were, he wanted to rise in the Forbes 400 list, and he directed that Alan and I go and meet with the writer for Forbes and give her the information, explain to her the value of the assets, which were already -- which

were inflated.

Q So the value of the assets on those personal financial statements were, to your understanding, inflated.

A Yes.

Q Okay. Now, if those were submitted to an insurance firm or a bank and they were sworn to, might that be evidence of a crime?

A I actually pled guilty to it. It's count number 6.

Q Not to these specific financial statements, but to others.

A That's correct.

Q So if they were sworn to in order to obtain insurance or a bank, that might be what you would call direct evidence of a crime.

A Yes.

Q All right.

Let's -- we're going to take a break from Trump Tower Moscow for a second.

A I thought we would take a break.

Q Sorry. We're going to try to push through. We've got a lot to cover.

Now, you previously said that you testified before this committee in October of 2017. Is that right?

A Yes.

Q And prior to that testimony, you were asked to produce documents --

A Yes.

Q -- as well. Is that right?

A That's correct.

Q And I think you testified earlier that both you and The Trump

Organization produced documents to the committee.

A Yes.

Q Okay. And you were aware of the documents that The Trump Organization produced?

A The documents went through my attorney, so only the ones that I saw from him.

Q Well, I'm not talking about the specific documents, but you were aware that The Trump Organization was submitting documents related to you.

A Yes.

Q Okay. And you also, individually, produced documents, right?

A I believe so, yes.

Q Now, did you at any point intentionally withhold any documents that were relevant to the request from this committee?

A No.

Q Are you aware of whether or not The Trump Organization withheld any documents that were relevant to the request for this committee?

A There was one document in particular that I don't know why it was not turned over. And it had to do with a conversation that I had with an assistant to Mr. Peskov.

Q And what was that document?

A It was an email.

Q From who to whom?

A From her to me. I only learned of -- it only jogged my memory and I only had the recall when I saw that document during another meeting with the Special Counsel's Office.

Q So the special counsel showed you this document.

A Yes.

Q And was it your Trump Organization email?

A Yes.

Q And it was a communication between the assistant to the secretary to Vladimir Putin and you?

A Yes.

Q And what did the email say?

A It was about calling her.

Q Calling her about what?

A About the Trump Tower Moscow project --

Q Okay.

A -- based upon my request to speak to Mr. Peskov, which was, of course, pursuant to the text message that I received from Felix Sater.

[3:11 p.m.]

BY MR. GOLDMAN:

Q And we're going to get into that later. But how do you know that that document was not produced by The Trump Organization?

A Because I contacted Steve Ryan and James Commind (ph), and I asked them to look through the document production, and they did not have it.

Q Now, prior to your testimony in October of 2017, you also provided a written statement to the committee. Is that right?

A Yes.

Q And that was at least one subject or the subject of your guilty plea before the special counsel?

A Yes.

Q Who drafted this statement?

A The final statement or the --

Q No. Who drafted -- who initially drafted the statement?

A I believe it was me.

Q And what did you do with it?

A I then sent it to Steve Ryan and --

Q What did he do with it?

A He then passed it along to a series of other attorneys as part of the joint defense agreement.

Q Okay. So you had a joint defense agreement with other individuals. Is that right?

A That is correct.

Q And who were those other individuals that you had a joint defense

agreement with?

A If I miss one, I will try to let you know so you can correct the record, but it was obviously Steve Ryan. There was --

Q Sorry, can you talk about the individuals, not the lawyers.

A I'm sorry. The individuals would be Mr. Trump, Jared Kushner, Ivanka Trump, Don Jr., The Trump Organization, and I believe that's it.

Q When --

A I'm sorry. No, I don't think Eric was part of this, no. Sorry.

Q And how was that group selected to be in the joint defense agreement?

A Because Mr. Trump was supposed to pay for it.

Q Okay. Are you aware of there being any other joint defense agreements that may have involved the President?

A I'm not aware of any.

Q But, for example, Paul Manafort was not in this joint defense agreement?

A Not that I'm aware of, no.

Q So who was the lawyer for Jared Kushner?

A Abbe Lowell.

Q And who was the lawyer for Ivanka Trump?

A I believe also.

Q Abbe Lowell?

A I believe so, yes.

Q Who was Don Jr.'s lawyer?

A I believe it was Alan Garten.

Q Alan Garten with --

A G-a-r-t-e-n, yes. Or Alan Futerfas. It was one of the two. They were always sort of --

Q Together?

A Together, yes.

Q And who was The Trump Organization outside counsel?

A That could have been Allen Futerfas. And then Mr. Trump's was --

Q Who was the President's lawyer?

A Jay Sekulow.

Q So Mr. Ryan, you said, circulated the statement to the other lawyers within the joint defense agreement?

A I believe so, yes.

Q Why do you believe that?

A Because it's what I recall.

Q And then --

A And I think --

Q What happened next?

A I received back a rendition of the draft for my review.

Q And were there any changes?

A Yes, there were changes.

Q Do you recall what those changes were?

A I do not.

Q Do you have in your possession the drafts of the statement prior to the final draft?

A I will look for them, and I will find them.

Q And will you provide them to the committee?

A Yes, if you ask.

Q Now, do you know who made any of those changes?

A I do not.

Q Did you have any conversations with Steve Ryan about who had -- who added any input into the statement?

A Yes.

Q And what did he tell you?

A I don't recall specifically, but I know that others had input into the final statement. I believe one part Abbe Lowell wanted was either inserted or removed. He wanted no comments about Ivanka. And then there were other changes as well. I would really have to look through the document. I don't have it --

Q Okay.

A -- committed to memory.

Q One minute.

A Sure.

[Discussion off the record.]

MR. COHEN: For the record, I just made mention that my counsel hasn't stopped eating since I met him. I lose five pounds -- I'm actually going to be writing a book. It's called the Mueller diet. It's how to lose 25 pounds without even thinking about it. It's a whole lot better than the South Beach Diet. It's going to be a bestseller.

BY MR. GOLDMAN:

Q Are you still in this joint defense agreement?

A No. The joint defense agreement terminated.

Q When did it terminate?

A Around the time that we had concluded with Judge Kimba Wood for the privilege document review.

Q In the Southern District of New York?

A Yes.

Q So after the searches of your homes and offices. Is that right?

A Correct.

Q And there was a privilege review before a judge in the Southern District?

A Yes.

Q Is that correct?

A Judge Kimba Wood or Barbara Jones was also involved.

Q And so at the conclusion of that privilege review --

A The joint defense agreement came to an end.

Q Now, why did it come to an end?

A Because McDermott Will & Emory wanted out.

Q They wanted out of your case, or they wanted out of the joint defense agreement?

A They wanted out of both.

Q And so did you ask your new attorney to reenter the joint defense agreement?

A No.

Q Why not?

A Because Mr. Trump didn't pay McDermott Will & Emory and left a

UNCLASSIFIED

pretty large outstanding invoice. So, therefore, there was no point in bringing them in on the JDA. In all fairness, McDermott Will & Emory did all the work for everybody and then got stiffed. So I wasn't going to now do that to Petrillo and owe even more money.

Q You referenced -- in my last minute here, you referenced the privilege review.

A Yes.

Q And yesterday you testified that the recording between you and Donald Trump about the AMI stuff with David Pecker that is now public, that Rudy Giuliani waived the privilege on that document. Is that right?

A On the recording, yes.

Q Do you know whether he ever asserted a privilege on that document? Was that the subject of the litigation in the Southern District of New York?

A I'm not sure.

Q But you do know that he waived the privilege --

A Yes.

Q -- and, therefore, it was signed?

A Yes.

MR. GOLDMAN: Okay. I see our time is up.

THE CHAIRMAN: Why don't we take a 5-, 10-minute recess, and then we'll resume.

MR. COHEN: It's to my knowledge. To my knowledge, I believe. Can I just correct the record for one second? I just want to clarify one quick thing. To my knowledge, I believe.

MR. DAVIS: It would be, to my knowledge, Giuliani waived the privilege.

UNCLASSIFIED

[Recess.]

DR. WENSTRUP: This committee has somewhat of a running joke with Mr. Himes and me. He often says: Aren't you glad you're not an attorney, that you went to medical school instead of law school?

So let me ask you, what was your motivation for becoming a lawyer?

MR. COHEN: I failed out of medical school.

DR. WENSTRUP: That I get.

MR. COHEN: My father is an otolaryngologist, a diplomat in head and neck reconstructive surgery. My mom is a surgical nurse and an allergist. And everyone in my family is either a doctor or a lawyer. First cousins, all lawyers and doctors. And the doctors are married to lawyers. So I figured it's a good profession.

DR. WENSTRUP: One or the other, right?

MR. COHEN: Yes.

DR. WENSTRUP: So, in your job, your title was special counsel, correct?

MR. COHEN: Yes.

DR. WENSTRUP: Now, was that for Mr. Trump only or was that for anyone in the business, the family? How did that work?

MR. COHEN: It was generally Mr. Trump and, when he wanted, on behalf of the family.

DR. WENSTRUP: So you have to forgive me here, because I understand sort of the term of general counsel and someone may be a tax counsel or a real estate counsel, you know, patent counsel, whatever. So what does a special counsel do? I'm not real familiar with that.

MR. COHEN: I guess it would just be handle special situations that are of

significance to Mr. Trump.

DR. WENSTRUP: So a sort of whatever we may have you do type of thing?

MR. COHEN: Correct.

DR. WENSTRUP: As pertains to legal matters?

MR. COHEN: To anything.

DR. WENSTRUP: Anything. So I get a little confused with the term "fixer" or "fixing."

MR. COHEN: Me too.

DR. WENSTRUP: Because I think of something like in my practice a patient may call the office and say, "Hey, there's something wrong with my insurance claim, they didn't process it right," and I could turn to staff and say, "Would you fix that for them," right? Is that the type of thing we're talking about or, you know --

MR. COHEN: Yes.

DR. WENSTRUP: -- glitches that come up?

MR. COHEN: Anything that he wants me to handle.

DR. WENSTRUP: So, typically, benign type of things maybe?

MR. COHEN: Many.

DR. WENSTRUP: Did you ever advise Mr. Trump or the family, for that matter, and say that something is ill-advised or unethical or illegal?

MR. COHEN: Not that I recall.

DR. WENSTRUP: So there was never a situation where you might have given that advice on something. I don't know. Did you feel that wasn't in your purview to do if you did feel that way, or did you just think everything was well

advised, ethical, and legal?

MR. MONICO: I suppose there's a question of whether this breaches the attorney-client privilege at some point, I suppose. I mean, it's hard to imagine, but --

DR. WENSTRUP: It's a pretty vague question, I guess, but I'm not asking for a specific detail.

MR. MONICO: I gotcha.

DR. WENSTRUP: And I won't go there. I understand that.

MR. COHEN: I'm sorry, can you repeat the question?

DR. WENSTRUP: Yes. I mean, was there ever a time, one that you felt something was ill-advised or unethical and illegal and you advised as such, or did you just --

MR. COHEN: I was actually known for telling him I don't agree. Whether he would do it or not thereafter was, of course, his decision, but there were things that I would say to him: No, I wouldn't do it that way.

DR. WENSTRUP: So you talked about some things being said in code, like: I never was told directly to do such and such, but the code was that I was supposed to.

So, even if it was ill-advised, unethical, or illegal, did you just -- did anyone ever say to you, "Well, I want you to do it anyway," and then you did it?

MR. COHEN: Not that I recall.

DR. WENSTRUP: Did you ever lie to Mr. Trump?

MR. COHEN: Not that I recall.

MR. MONICO: I mean --

DR. WENSTRUP: Yeah, in his employ, during that time.

MR. COHEN: Yes. Yes. Actually, yes, I did.

DR. WENSTRUP: And how was that received?

MR. COHEN: Oh, he never found out.

DR. WENSTRUP: But you --

MR. COHEN: Would you like the example as an example?

DR. WENSTRUP: If you're --

MR. COHEN: I mean, I'm willing to do it. He asked me to make a phone call and let's say to a reporter. And I just didn't reach out to the reporter. And he said, "Have you -- did you speak to the reporter?" "No, I left a voice message." It was a lie. But there's no point in speaking to that reporter because the article is already out.

DR. WENSTRUP: Maybe that was a white lie, but we won't go there.

MR. COHEN: Okay. But it's still a lie.

DR. WENSTRUP: And you can answer this however you want because I know you've been through this the last few days, but you would say that you lied for him?

MR. COHEN: Yes.

DR. WENSTRUP: Were you ever forced or intimidated into continuing to work for Mr. Trump in some way?

MR. COHEN: No.

DR. WENSTRUP: There was no kind of extortion or blackmail type of thing. So you could have left any time on your own?

MR. COHEN: Yes.

DR. WENSTRUP: But you stayed.

MR. COHEN: I did.

DR. WENSTRUP: So, when someone declares that they're running for office, should they quit their job, do you think, and quit engaging in everything? Like for me, when I decided to run for office and I announced and filled out my paperwork, I continued to work. As a matter of fact, I operated until about 6 days before I was sworn in.

And I ask that because there was some reference to business actions taking place while Mr. Trump was still a candidate. So do you find that that was wrong, that he should still be engaging in business while he's a candidate, or should he still be free to do that?

MR. COHEN: What I think is irrelevant. It's what the rules permit or don't permit. I obviously thought it was okay because I was doing it.

DR. WENSTRUP: Most of us who run for office, you know, until we win, we got to keep our day job, right? And so that's my point to that because I felt like there was some reference that there shouldn't be business taking place while as a candidate. Because not everyone can afford that luxury of dropping their day job is the point I'm trying to make.

And you're okay with international business, right? You have no problem with international business?

MR. COHEN: No.

DR. WENSTRUP: How many countries does the Trump enterprise, for lack of a better word, have business in, do you think? Do you know offhand?

MR. COHEN: I can name a few. I mean, they're in Dubai, in Scotland, in Ireland. They were in Panama. You have Toronto. You have Canada, to name a few.

DR. WENSTRUP: So are all these countries considered staunch allies of

the United States of America?

MR. COHEN: I don't know. I know Toronto because that's where my family is from.

DR. WENSTRUP: You made mention earlier of Romania. You started to tell something about Romania.

MR. COHEN: Yes.

DR. WENSTRUP: What were you going to say about interactions with Romania?

MR. COHEN: There was a potential real estate opportunity in Romania.

DR. WENSTRUP: And did that ever come to fruition?

MR. COHEN: No.

DR. WENSTRUP: How many times did the topic come up? How engaged was that? How far did it get?

MR. COHEN: I don't understand your question, sir.

DR. WENSTRUP: Well, you know, in a business deal, it starts with a conversation. Hey, what about Romania? We may go there. Let's start engaging with people in Romania. You know, you're special counsel. Do you engage in those conversations and be aware that, hey, we're looking at Romania? And how many times?

And the reason I ask this is because you mentioned before about Russia came up like a handful of times, right? So how many times did Romania come up? And how many times does a country come up in your conversations with Mr. Trump when a business deal is being looked at?

MR. COHEN: So it's an interesting question. As it relates to me, not a lot, because that really wasn't my function. The reason that I was involved, for

example, in the country of Georgia was because Giorgi Rtskhiladze was a friend of mine. And the reason Felix reported to me was because he considered himself a friend of mine.

And the people from Romania, the Edemeskus (ph), I met them while with Mr. Trump. That was the big Las Vegas meeting, the one with Agalarovs, that we met the Edemeskus (ph) there, and they took my number. And they're in real estate in Romania, so I was a point of contact. But most, if not virtually all, real estate deals were divvied up between Don Jr., Ivanka, and Eric.

DR. WENSTRUP: It's hard to tell, because your title is so ambiguous and you never know where you're going to be involved or not, correct?

MR. COHEN: Neither did I.

DR. WENSTRUP: Well, I guess what I'm trying to figure out, it seems to me a handful of times that you heard of a possible deal in Russia. It doesn't sound like a lot, because I got to imagine it takes a lot of conversation to actually finish a deal. That's what I'm trying to establish here. And do you consider a handful of times a lot of engagement?

MR. COHEN: I don't think it's a lot. Over --

DR. WENSTRUP: Say for the deals that you were engaged in.

MR. COHEN: I don't think it's a lot.

DR. WENSTRUP: Yeah, okay.

MR. COHEN: Over a period of 2007 to --

DR. WENSTRUP: Exactly. Okay.

MR. COHEN: But, again, that's just me. I don't know what anybody else in the organization -- the deals that I worked on were just deals that I had personal relationships to individuals.

DR. WENSTRUP: So, with that in mind, that's what I'm trying to get at, is that five -- a handful, but that's five or so, is a pretty minimal amount of time of engagement in any potential deal.

MR. COHEN: I'll agree with that.

DR. WENSTRUP: I yield back.

THE CHAIRMAN: Just for clarification --

DR. WENSTRUP: I yield to --

THE CHAIRMAN: Oh, I'm sorry.

DR. WENSTRUP: That's my bad.

THE CHAIRMAN: The handful of times you're talking about is before the discussions began on Moscow Trump Tower, right?

MR. COHEN: Yes. As I said, it's up until the point of Trump Moscow.

THE CHAIRMAN: Okay, thank you.

MR. GOLDMAN: Just one more thing on that, if I could. You mentioned the Agalarovs. Was there discussion with The Trump Organization and the Agalarovs about building a Trump Tower in Moscow?

MR. COHEN: Yes.

MR. GOLDMAN: Were you involved in that at all?

MR. COHEN: No.

THE CHAIRMAN: We yield back. Sorry about that.

BY [REDACTED]:

Q Mr. Cohen, thank you for being here today. A real quick question about Felix Sater. So, earlier, you had mentioned that Felix Sater and Donald Trump had a bad blood type of relationship at the point in time in 2015. Is that correct? Did I hear you correctly?

A I don't know if it was 2015, but at some point, yes.

Q Got it. And he told you: Just be careful with Felix Sater.

Is that right?

A He did.

Q Okay. So, on page 84, of the transcript from when you came to talk to us back in October of 2017 -- and I'll let you open that up. Near the bottom of the page, Mr. Swalwell asks, "And Felix Sater, is he someone that at the time" -- oh, 84.

Mr. Swalwell asks: And Felix Sater, is he someone that at that time you trusted?

You said: I had no reason not to trust him. However, that would never change my standard operating procedure.

Can you talk for a minute about your feelings towards Mr. Sater as compared to Mr. Trump's feelings for Mr. Sater? Was there a difference of opinion there?

A Yes.

Q Okay. And just based on your personal relationship with him or, I mean, what was the divide?

A I had no animus towards Felix and Felix had none towards me. And I did nothing within which to, you know, harm him, and he did nothing within which to harm me.

So I had no reason not to trust him that the deal was legitimate, not to mention, as I stated here, I have a standard operating procedure. Even if he was mad at me, it wouldn't have made a difference. There are three things that I wanted, and I needed them in order to start to draft, you know, the definitive

documents.

Q Got it. Thank you. And Mr. Ratcliffe earlier went through pages 56 through 60 on the transcript in terms of the dossier allegations, and I won't relive all that with you, but just in summary, you confirmed your testimony that you gave us back in October that the dossier allegations against you were false. So everything from you working as a secret conduit with the Russians, meeting in Prague, cleaning up Manafort/Page's mess, any sort of key role you may have had in an alleged Kremlin-Trump campaign relationship.

I guess my first question regarding that is, when you first heard about these allegations, how did you feel?

A Angry.

Q I imagine so. I'd be pretty upset. And --

A I was angry because where I found it -- I know exactly where I was at the time that I got my first phone call. And I was in Florida with my son at [REDACTED] and his team. He played for a team called [REDACTED], which was sponsored by [REDACTED]. He was starting pitching against [REDACTED], which is the number one baseball team in the country. And he was starting. Now they rocked him, because he was watching me pacing back and forth. And he was -- I was so angry, and we're connected. He's my heart.

Q Absolutely.

A And I ruined the whole experience for him.

Q How did you first find out? Who told you about it?

A Roz Haldeman (ph) and Tom Hamburger.

Q Got it. And were you contacted by anyone in the press regarding the allegations?

A They are the press.

Q They are the press. Anyone else?

A That's the -- you asked me the first time. It was from there.

Q Okay. Got it. How did you respond when you were getting questions from folks in the press about the allegations against you?

A As I said, I've never been to Prague, and I never went to clean up Manafort's mess, and it just -- you know, I told them the story of when I got -- you know, when I got back, the first thing, you know, with Mr. Trump was, this is a terrible story, this is a nightmare. And I had just left the office, you know, at the time, when it first came out. And I was home. I had just gotten home. It must have been 7:30, 8 o'clock. And he said, have you ever been to Prague? And I said, no. So he goes: Michael, this is important. This is serious. We're getting killed.

I said: Mr. Trump, I've never been to Prague.

So, you know, I said: Would you like to see my passport?

So he goes: Yeah, can you bring it over?

So I put my jacket back on, and I walked over. And I brought my passport, and everybody examined it. And I've never been to Prague.

Q So, when Mr. Trump was talking to you about this, he seemed concerned or he seemed like this was a surprise to him, the news of the dossier?

A Yes.

Q Okay. And then those press contacts you mentioned, when were the first ones that happened with you? When were you first notified, about what time?

A It was in January.

Q January of 2016?

A Yes.

Q Okay. All right.

I yield back.

THE CHAIRMAN: Mr. Goldman.

MR. GOLDMAN: Thank you, Mr. Chairman.

BY MR. GOLDMAN:

Q We were speaking earlier about this written statement that you submitted to the committee prior to your testimony last time, and we were talking about the other lawyers in the JDA who reviewed it. And that -- I think you testified that your attorney, Stephen Ryan, circulated a draft of the statement and then received comments back.

A [Nonverbal response.]

Q Did you have -- were you present for any conversations with anyone other than your attorney about this written statement?

A Not that I recall.

Q Did you have any conversations with anyone about your testimony before your testimony occurred?

A Yes.

Q I'm going to get to that in a minute. So do you recall --

A It's like a cliffhanger. Now, in my head, I'm thinking, you know, what's that question? Sorry.

Q Do you recall in your written statement that you said that the proposal for the Trump Tower Moscow went from September 2015 until the end of January 2016?

A I believe so, yes.

Q Do you want to look at it?

A No. I believe so.

Q All right. And then was that accurate?

A To the best of my knowledge, yes. Oh, was that accurate? The answer to that is no.

Q Do you recall there being -- did you learn of any conversations that your attorney or you had yourself with any of the other attorneys in the joint defense agreement about that statement?

A I'm sorry. You lost me on that one.

Q The statement -- let's just look at it.

MR. GOLDMAN: It's exhibit 44, and we would offer it into evidence.

[Cohen Exhibit No. 5

Was marked for identification.]

MR. GOLDMAN: So, in the third paragraph is where I'm looking, at the bottom, the last three sentences.

THE CHAIRMAN: Can you just identify what the document is?

MR. GOLDMAN: Sorry. This is the statement of Michael D. Cohen, Esquire, that was submitted to the committee I believe August 28th of 2017.

BY MR. GOLDMAN:

Q And then you see where it says, "By the end of January 2016, I determined that the proposal was not feasible for a variety of business reasons and should not be pursued further. Based on my business determinations, The Trump Organization abandoned the proposal."

Are any of those statements accurate?

A No.

Q Do you recall any conversations about those three sentences prior to submitting the written statement?

A I don't recall.

Q But you do recall conversations prior to your testimony. Is that right?

A Yes.

Q And do those conversations center around the same lie as to when the Trump Tower Moscow deal ended, that it was January 2016?

A Some of the conversations, yes.

Q So let's just focus then broadly on the conversations you had prior to either submitting the written statement or your testimony. And maybe that's an easier way of framing it if it's hard to remember which related to which.

A Because I don't have timelines, so it's --

Q Okay. Now, you said you had conversations about either your testimony or this written statement. Who did you have conversations with?

A Jay Sekulow.

Q How many times did you speak with Jay Sekulow?

A A lot.

Q And remind us who Jay Sekulow is?

A Attorney for President Trump.

Q When you say a lot, can you give an approximation?

A Twenty or more.

Q Was your attorney on the phone for all those conversations?

A No.

Q So you had conversations one-on-one with Jay Sekulow?

A Yes. It was discussed with Steve Ryan, and he authorized me to speak to Jay once, of course, the joint defense agreement was in place. Plus, I had the previous relationship with Jay.

Q Okay. How many of the conversations, the 20 conversations involved just you and Jay Sekulow?

A I would say the bulk.

Q And these were all on the telephone?

A Yes.

Q So over the course of how long did these 20 conversations occur?

A I don't have the answer to that. I can try -- if you'd like, I --

Q The inauguration was January 2017.

A Yes.

Q The request to you was May of 2017 from this committee, okay. Your production of documents and the statement that you provided was August of 2017. And your testimony was October 24th of 2017. Okay. That's some of the timeline.

Over how many months do you think that you had these 20 conversations with Jay Sekulow about your upcoming testimony?

A I'd probably say that at least more than half, if not more than that, during the month before the statement in the testimony, within that month. I had a lot of conversations with Jay.

Q So tell us what Jay Sekulow said to you about either the statement or your testimony before Congress.

MR. MONICO: If the joint defense agreement is in place, is this a potential privilege problem or not?

THE CHAIRMAN: Counsel, if there's any indication that he was being urged to testify falsely, it would be nullified by the crime/fraud exception.

MR. MONICO: Okay.

BY MR. GOLDMAN:

Q Are you comfortable proceeding, Mr. Cohen, to discuss the conversations you had with Mr. Sekulow?

A Yes.

Q Was Mr. Sekulow essentially acting as your lawyer for these conversations?

A No.

Q He was the President's lawyer, but there were one-on-one conversations?

A Yes.

Q And what did he tell you about -- let's focus on this January 2016 date. Did you have any discussions with Jay Sekulow about stating that the Trump Tower deal ended January 2016?

A We talked about the entire statement. I can't tell you -- it happened, you know, 2 and a half years ago. I don't want to start to expand upon -- I'd rather do it in more of a generality.

Q Start general. Go ahead.

A We talked about staying on message. And the message was always was whether I was -- when I was with Mr. Trump or during these conversations, it was always about to stay on message, which is there's no Russia, there's no collusion, there's no business deals. And that was the message that we were staying on. And that was the message that I was going to put into the statement,

and --

Q So, if I can interrupt, this statement deals only with the Trump Tower Moscow.

A Correct.

Q Right?

A Yes. But the reason it stops in January of 2016 is because the documents that we had, meaning Steve Ryan, were -- there were text messages between Felix and myself. And there's one in January where I said to him: I'm done. We're finished.

And that's the message prior to the "if you don't believe me, call Peskov" text. That's why we used January as the date.

Q Did you discuss that with Jay Sekulow?

A Yes.

Q And what did he say about using January as the date?

A Good. Good. Let's just stay on message. Keep this thing short.

Q And what was the message about January 2016?

A It was the period of time, it was before the Iowa caucus. And it was just a good time. It was just -- it was before, it was a couple weeks before the Iowa caucus, and let's just keep it that way. And, again, since the deal didn't take place, what would have been the harm?

Q But what is the relevance of the Iowa caucus? Why did Jay Sekulow want you to say that --

A I don't know. At the time, I don't know. That was just the date that we had an endpoint, which was the Felix and my text. It was before the Iowa caucus. Let's just --

Q Did Jay Sekulow know that the deal was discussed until June of 2016?

A I believe so. Again, as I previously also testified, that it was before the -- really, the beginning of the campaign, which is the Iowa caucus, where everything really kicks off.

Q Okay. Let's use that. Did Jay Sekulow know that your discussions of Trump Tower Moscow in which you also discussed it with Donald Trump carried past the Iowa caucus into June of 2016?

A I believe so, yes.

Q Do you recall having conversations with him about it?

A To the best of my recollection, yes.

Q Now, Dr. Wenstrup asked you some questions, and I believe you said that there's nothing wrong with continuing to have business deals while you're a candidate. Is that right?

A He asked me that question, yes.

Q And do you agree with that?

A I wasn't part of the campaign. And I wanted to see this project become a reality. Yes, I continued to work on it.

Q And you said earlier there's nothing illegal about pursuing a deal in Moscow?

A There is nothing illegal about pursuing a deal in Moscow.

Q So did Jay Sekulow tell you then why he wanted you to lie about pursuing a deal in Moscow during the campaign?

A Not that I recall, no. This was the message. And we were preparing the statement and stay on message, and there's nothing going -- that this whole thing is going to be over. There's no -- the investigation is going to come to an

end in like 6 weeks. Don't worry; it's all good. The boss loves you.

Actually, he would refer to him as the client, you know, or say to me: I just left with the client, and he loves you. Don't worry. He's sorry about this, or he's sorry about that, that you have to go through this.

And everybody looked at this document. It got sent around. And this became the final statement as with the other document.

Q Do you know if everybody in the JDA approved of this document before it was submitted?

A I don't know who did or who didn't, but I do believe it was circulated amongst everybody.

Q Did Stephen Ryan tell you that anyone objected to any statements in this document?

A Yes. Abbe Lowell, I believe. I believe if it's this document. Abbe Lowell did. He wanted a section either included or excluded that dealt with Ivanka.

Q Did that section relate -- we haven't been through it yet, but did Ivanka Trump have a relationship with a Russian official's wife?

A I don't know if she has a relationship or not. I do know that she received an email from the wife of Dmitry Klokov.

Q And who is Dmitry Klokov?

A He's an Olympic Gold Medal weightlifter.

Q And did Abbe Lowell relay to you any concerns about including information -- withdrawn.

Did you have conversations with Dmitry Klokov?

A I did, yes.

Q And what were those conversations about?

A There's -- I had a verbal conversation with him. It was about -- I thought it was about the Trump Tower Moscow project. Can I sort of take you through the --

Q I actually don't want you to because we will go through it. I'm just trying to understand what -- I'm trying to get at what Abbe Lowell wanted.

A I never spoke to Abbe Lowell.

Q I understand, but it was relayed to you that Abbe Lowell wanted something. Was it removed from the written statement?

A I believe so. I believe so, yes.

Q Let's take a step back, though. Everybody saw this final draft. To your knowledge, everybody in the JDA saw this final draft?

A To my knowledge, yes.

Q And did anybody voice any objections to you submitting this to Congress under the penalty of false statements or perjury?

A Not that I'm aware of.

Q Did there come a time when you had a conversation in person with Jay Sekulow in the White House?

A Yes.

Q When was that?

A I apologize. I don't recall the date. It could be February of 2017, I believe.

Q Was it -- I'm sorry.

A May. May of 2017.

Q May of 2017?

A It was in response to your invitation to appear.

Q And who did you meet with in the White House?

A The President.

Q And Jay Sekulow?

A And I brought Jay Sekulow with me, yes.

Q Anyone else?

A No, it was just the three of us.

Q And describe that conversation for us.

A So we sat down after pleasantries. Mr. Trump asked -- President Trump asked me: Why did you say no? Just cooperate.

He goes: There's nothing here. There's no Russia. There's no collusion. There's no business dealings. Why didn't you cooperate?

So I said: Because Jay told me not to.

He says: What are you talking --

I said: Well, they sent an invitation, and like to a bad bar mitzvah, you just don't go. You say you're like -- so then, ultimately, we got the subpoena, and now I had to go.

Q What else did the President say to you about -- let me take that back. Did you have any discussions about what you were going to say to Congress?

A Again, in the conversation with the President, when he said to me, "There's no" -- he goes, "Michael, why don't you just cooperate? There's no Russia, there's no collusion, there's no business, there's no deals, and this is all going to be over" -- I know what he's saying to me.

Q What's he saying to you?

A What he's saying to me is: There's no Russia. Stay on message.

That's the message that we've all been talking about for the past 6-plus months.

Q You stated a lot that the President would say, "There's no Russia." Russia is obviously a country. There is Russia. So what did you understand him to mean when he said, "There's no Russia"?

A First of all, you're not allowed to be funnier than me. All right? Because I'll leave. I'm not under subpoena. Now take that joke back. I'm sorry. I'm sorry. I'm just so tired.

When Mr. Trump referred to Russia, he's talking about Moscow. He's talking about business. He's talking about Putin. He's talking about relationship with Moscow and relationship with Vladimir Putin.

Q And how did you know that?

A Because that was the message. That was the message that we had all been just promoting for the last X number of months, going back to the campaign.

Q What did Jay Sekulow say in that conversation?

A Well, Mr. Trump asked him: Why did you tell him not to show up? He said: Because it didn't make sense. Let them, you know, require him to come.

And, again, Mr. Trump just said: You know, just cooperate.

And then --

Q How long was the conversation?

A Well, we were there for --

Q Sorry, I interrupted you. You were going to say, and then what?

A Then we spent about a half hour there. And then it was decided that Jay was going to represent Mr. Trump and sort of join that team because, at the

time, there were a lot of invitations to a lot of people to appear to give testimony. So Jay said, "Don't worry, I'll help you find a lawyer," at which point Mr. Trump said, "And don't worry, because, you know, we're going to take care of it," meaning the Trump Org.

Q Where was this meeting in the White House?

A In the Oval Office.

Q Have you -- had you ever been to the Oval Office before this meeting?

A Yes.

Q How many times?

A This I believe was either the second or third time.

Q And have you ever been to the Oval Office since that meeting?

A From what time to what time?

Q May 2017 to the present.

A No, not that I -- oh, I was? Was that -- oh, July. Yes, July 2017. It was an unofficial visit.

Q What does that mean?

A My daughter was working for Omarosa and Melania as a summer intern. And I just went to go pick her up and to have lunch with my daughter and the First Lady upstairs in the private residence.

Q Did you see the President during that visit?

A I did.

Q Did you speak to him?

A I did.

Q For how long?

A Fifteen minutes.

Q Did you discuss your upcoming testimony at all?

A Not that I recall. It was a lot of people trying to push me out because I was taking him off schedule.

Q Let me just go back to I think the lie about January 2016. Did you have any conversations with Alan Garten about either this statement or your testimony where you also testified that the deal ended in January 2016?

A I don't recall.

Q How about Alan Futerfas?

A I don't believe so.

Q And Abbe Lowell?

A I don't believe so.

Q Do you believe that all of them knew that the Trump Tower negotiations went to June of 2016?

A I believe they did.

Q Mr. Cohen, I'd like before Wednesday -- I know you're exhausted right now, but if you could take a little bit of time and try to think back to the circumstances around the preparation of this statement, around the conversations you had with Jay Sekulow, whether there were other conversations, and in addition, please try to look for the draft statements that would have shown the prior iterations of this written statement.

A I'll do that tomorrow. And tell me who to send the documents. What I can do is forward to you --

MR. MONICO: Send them to me.

MR. COHEN: Got it. I can forward to you any emails -- well, I'm going to forward to my counsel any emails from myself with Steve Ryan. And I will even

ask Mr. Ryan if he can check his system to see how it was circulated.

BY MR. GOLDMAN:

Q That May -- did you have any conversations with the President other than that May 2017 meeting in the Oval Office about your testimony?

A I spoke with the President on several occasions on the phone.

Q And what -- how many times do you think you spoke to him?

A I don't -- I don't recall.

Q You said several times, though?

A Yes.

Q And what did he say to you about your upcoming testimony?

A I don't recall specifically, but it's all -- the message that he would constantly relay had to do with it's all -- it's not -- this investigation is not going anywhere, just -- there's no Russia. I mean, I don't know how many times he said to me: There's just no Russia. This whole thing is a giant witch hunt. It's a witch hunt.

And, again, I knew exactly what he meant, but he doesn't have to -- for me, he didn't have to say it more than once. I got it the first time, you know, what we were all in agreement on.

Q Would this be a good example of what you called code?

A Yes.

Q Did you have any discussions with anyone else about your -- other than your own attorneys, about testifying falsely to the Congress before it occurred?

A No, not that I recall.

Q Did you speak to anybody at The Trump Organization?

A No, not that I recall, about the dates specifically. No, not that I recall.

Q Did you speak to anybody else in the Trump administration?

A Not that I recall.

Q And did you speak to anybody else who was on the campaign?

A I may have spoken to Hope Hicks. I don't recall. I spoke to Hope every now and then. And don't forget also they had the statement. They knew exactly what was going to be said.

Q Now, let's just take a second for -- after your testimony, did you speak with the President about your testimony?

A I don't believe so.

Q Did you receive -- did you receive any messages about what the President thought about your testimony?

A Yes.

Q From whom?

A I received a phone call from Jay Sekulow.

Q What did he say to you?

A "I was just with the client," and he goes, "He heard you did a great job," and he said to me, "He loves you, don't worry, everything's going to be great," something to that extent.

Q Did you tell anyone outside of the group included in the JDA that you were not truthful to Congress?

A Outside of the JDA? Not that I recall.

Q Did you participate in encouraging anyone else to be not truthful when testifying either before Congress or the Special Counsel's Office?

A No. It's interesting, because despite the fact that Steve Ryan was

really a point of -- a point person in the JDA, they were all having conversations as well amongst themselves, which I always found to be interesting. That we were really not included in a lot of the stuff as it related to the JDA.

Q But did Steve Ryan relay back to you what others were saying?

A Yes, when it came to especially the documents.

Q But -- all right. So that's what you're going to try to think about --

A Yes.

Q -- over the next few days.

Now, during your prior testimony, you testified that you had discussions with people associated with the White House or the President about pardons. Do you recall that?

A Yes.

Q Do you recall having conversations about pardons prior to your testimony?

A Yes.

THE CHAIRMAN: Then what I would suggest, because we have 5 more minutes, I think the members probably have a couple more questions before we go to the break, and it sounds like you're getting into a new area.

MR. GOLDMAN: Yes, perfect.

THE CHAIRMAN: Let me just ask a couple quick questions and pass it on to my colleagues.

Mr. Goldman asked you about a missing email that the special counsel showed you.

MR. COHEN: Yes.

THE CHAIRMAN: And that was an email that was evidence that the

Trump Tower negotiations did not end in January, correct?

MR. COHEN: That is correct, sir.

THE CHAIRMAN: It was an email in the month of April or May. Anyway, it was it was post January.

MR. COHEN: Yes, definitely post January.

[Discussion off the record.]

THE CHAIRMAN: The email I'm referring to -- and I guess I may have had my dates wrong -- was an email about setting up a meeting with or discussion with Peskov. That's the email I'm referring to. Do you recall that?

MR. COHEN: Yes.

THE CHAIRMAN: Mr. Goldman asked you about that?

MR. COHEN: I don't recall him asking me about it.

THE CHAIRMAN: This was an email that was missing from the production.

MR. COHEN: No, sir. No, sir. That's -- yes, my apologies then, because I may have conflated the two. The email that's missing was an email from an executive assistant of Dmitry Peskov, and I believe her name was Elena Poliyakova (ph). And that was a conversation that I had had post the January date because that's where Felix Sater had told me to reach out to Peskov.

THE CHAIRMAN: That's what I was thinking of.

MR. COHEN: Oh, okay.

THE CHAIRMAN: My staff may have been thinking I was thinking of a different email. But that was a post-January email, correct?

MR. COHEN: Yes, sir.

THE CHAIRMAN: And that email would have indicated that the testimony

that you were going to give would be false, because that email was well after January?

MR. COHEN: Yes.

THE CHAIRMAN: And it involved you seeking the Kremlin's help in the deal?

MR. COHEN: It was an email that asked for someone to reach out to me because I was curious about the status of the project as far as the Kremlin knew about it, yes.

THE CHAIRMAN: What I wanted to ask you is, what can you tell us about that missing from the document production? Who was involved in the document production? Was it done by that joint defense group, or was it done --

MR. COHEN: It was done by The Trump Organization.

THE CHAIRMAN: The Trump Organization. And the lawyer for The Trump Organization was?

MR. COHEN: Alan Futerfas, along with Alan Garten.

THE CHAIRMAN: So those two Alans would have been responsible for the document production?

MR. COHEN: Yes. So the way that it worked is there was a series of terms that I believe this committee provided, and this just didn't make it in. We don't know why, but it just never made it in.

THE CHAIRMAN: Well, that is very curious. Did you ever have a conversation with either of these attorneys or others about why that document was not included in the production?

MR. COHEN: Sadly, they don't speak to me.

THE CHAIRMAN: And, to your knowledge, were there other documents

evidencing that the transaction went beyond January that were also not produced?

MR. COHEN: It's possible. I don't have an answer to that.

THE CHAIRMAN: And who would have produced the documents within Trump Organization for those two lawyers?

MR. COHEN: I mean, there was an IT department that's run by a gentleman named Jae Cho. So I would suspect it was -- it would be them.

THE CHAIRMAN: And would those people -- the IT people, I assume they would not be in a position to determine ultimately whether documents that were part of the word search would be turned over. That would be for the two Alans.

MR. COHEN: Correct. He would do a bulk drop into a file, and they would go through them for either privilege or improper word term.

And by the way, Jae is spelled J-a-e.

THE CHAIRMAN: And I'm going to go to my colleagues. Last question I have for you is, when you were informed that the client thought you did a good job, how would the client know what your testimony was before the committee?

MR. COHEN: I don't know the answer to that. I was just happy to hear that he thought I did a good job.

THE CHAIRMAN: Did you ever learn that either someone from the committee or others gave feedback back to Mr. Trump about your testimony?

MR. COHEN: That's a good question. I never actually even thought to ask it. I just did not.

THE CHAIRMAN: Mr. Swalwell and Ms. Demings and Mr. Maloney?

MR. SWALWELL: Mr. Cohen, you said a couple times that you believe that Mr. Sekulow knew that the Trump Tower Moscow extended beyond January 2016 and that others did too. What makes you say that you believe that they

were aware of that?

MR. COHEN: Well, because they read the document, and my belief is that they spoke to their clients and discussed the document with them.

MR. SWALWELL: And you're saying the document they would have read would have clearly shown that it went beyond January 2016.

MR. COHEN: Yes, sir.

THE CHAIRMAN: Mr. Swalwell, we're going to come right back to -- we're out of time. I didn't know if you --

[Discussion off the record.]

MR. SWALWELL: Thank you. Going back to the earlier block on the Trump Tower meeting in June 2016, did the conference rooms at Trump Tower have like a speakerphone conference phone capability?

MR. COHEN: Yes. All the telephones. They're made from Avaya.

MR. SWALWELL: Was it ever the case that Mr. Trump would not be at a meeting physically but that he could listen to what was going on at a meeting?

MR. COHEN: Oh, that's definitely possible, sure.

MR. SWALWELL: Has that happened before that you've seen it happen?

MR. COHEN: Where he was put on a conference call?

MR. SWALWELL: Yes.

MR. COHEN: Yes, he's done conference calls.

MR. SWALWELL: And just, finally, when you said speaking in code, "no Russia, no collusion, witch hunt," can you just give us other examples where -- because one interpretation could be that those are the words of an innocent man saying "no Russia, no collusion, witch hunt." You interpreted it as stay on message. Can you give us other examples where he was telling you

something in that vein and you clearly knew and he clearly knew that it was something opposite?

[4:21 p.m.]

MR. COHEN: Can I just tackle your first part of it, as far as Russia?

MR. SWALWELL: Or if he knew -- if he had said --

MR. COHEN: The reason why I would say that, just instead of talking about, like, which hamburger to order, it would be more -- right after I -- right after he would make a statement or as he was going to a rally to make the statement and I would, as an example, be walking with him towards the elevator or down to the car, he would just say to me, he goes, what's happening with Russia?

So he knew that my conversations with Felix regarding the property were continuing. He also knew that we were not advancing, which, you know, frustrated him a little bit, frustrated me.

MR. SWALWELL: And did those conversations extend into when it had become publicly reported that Russia was interfering in the elections?

MR. COHEN: It went up through about to June.

MR. SWALWELL: And June, just for the record, is when the first public reports came out.

Did he ever express to you a concern that you had a deal with Russia that was at least, you know, in the works and it was being reported that Russia was interfering in our elections?

MR. COHEN: No.

MR. SWALWELL: Okay. Thank you.

MR. COHEN: Not that I recall.

MR. SWALWELL: I yield back.

THE CHAIRMAN: Mrs. Demings.

MRS. DEMINGS: Thank you so much, Mr. Cohen.

Very, very quickly, kind of back to the conversations that you had regarding the Russia deal extending toward the Trump Tower deal extending past January, did you ever have anyone other than Mr. Trump or Mr. Sekulow tell you to stay on message, speak in code, and suggest that you were deceptive about how long that deal actually went forward? Anyone else?

MR. COHEN: Not that I recall, no, ma'am.

MRS. DEMINGS: Okay.

And last question. Regarding your conversation -- or the conversation that you overheard between Mr. Stone and Mr. Trump regarding the dumping of the emails, did you ever, in that conversation, hear Mr. Trump say to Mr. Stone that any hacking, dumping of emails, stealing of emails, coordinating with Russia would be inappropriate and potentially illegal?

MR. COHEN: No, ma'am. The word "Russia" between the two never came up during that conversation.

MRS. DEMINGS: But you never heard Mr. Trump say that any behavior of that nature may be unethical, inappropriate, or illegal?

MR. COHEN: No, ma'am. No.

MRS. DEMINGS: Okay. Thank you.

THE CHAIRMAN: Mr. Maloney.

MR. MALONEY: Mr. Cohen, I just want to be really clear about something you testified to just a couple minutes ago. Describing that Oval Office meeting you had with Jay Sekulow and the President, you said the President said to you, just cooperate. And are you telling this committee that you understood him to be telling you indirectly to lie?

MR. COHEN: Yes.

MR. MALONEY: And when Mr. Sekulow called you after your testimony and said, you did great, I was just -- excuse me. I think you said, I was just with a client, you did great, he loves you, don't worry, everything is going to be great. Why would he say that to you?

MR. COHEN: To keep me within the joint defense agreement.

MR. MALONEY: Was it your understanding that Mr. Sekulow knew you had lied and was trying to put your mind at ease?

MR. COHEN: Again, possibly. I mean, that's certainly plausible.

The thought was that, since the project never went anywhere, just minimize the relationship. There was so much media attention to Russia and collusion and involvement and relationships, that the goal was just minimize it. That's why it was three very short meetings or conversations that I had with Mr. Trump.

MR. MALONEY: But if I may --

MR. COHEN: Yes, sir.

MR. MALONEY: -- Mr. Cohen, you knew you had lied at that point when you were speaking to Mr. Sekulow.

MR. COHEN: Yes. And Mr. Sekulow knew that --

MR. MALONEY: And did it make you feel better --

MR. COHEN: I'm sorry?

MR. MALONEY: Did it make you feel better about having lied to Congress, what he was saying to you?

MR. COHEN: No, it didn't make me feel better at all. It was -- I was just staying on message. And it was a mistake.

MR. MALONEY: But do you feel he was encouraging you?

MR. COHEN: Yes. Yes. It was all about -- again, it was all about the

same message that he had been giving not just to me privately but to the world: There's no Russia. I don't know how many times that he must have said the same thing. And he said it to me a handful of times privately, and he certainly said it a significant number of times publicly. And I was just trying to stay on message. Because I never expected this whole thing to become what it's become.

That's why, when he would say -- when Mr. Sekulow would say to me, you know, don't worry, this is all coming to an end, you know, okay, great. When? Oh, about 6 weeks. Six weeks would come, and I'd say, what's happening now? Ah, it's going to be about another 2 months. You know, I'm like, okay. And then the raid. And it was just -- you know, it just hasn't stopped.

THE CHAIRMAN: I yield back to you.

██████████: Do you have any member questions?

THE CHAIRMAN: Are you close to finishing up? Because then -- why don't you go ahead, and then we'll go to Mr. Welch. And then Mr. Goldman will finish the rest.

BY ██████████:

Q Perfect. All right.

Sorry about that. Earlier, I had said, regarding your first interactions with the press on the dossier, I had said January of 2016. I meant 2017. But you agreed with me.

So I just want to make sure -- I meant 2017, but I just want to clarify your first interactions with the press regarding the dossier --

A I'm sorry. Yes, it was 2017.

Q Okay. Perfect. I was making sure that was clear.

Also, related to the May 2017 meeting with the President, you know, I understand that there was this perceived code based on your years of experience with him and that, even though he said cooperate, you thought he meant to lie. But given the fact that the President has continually said there is no Russia, there is nothing, would a possible explanation for that have been there is no Russia story here, just cooperate? Is that a possibility? Would he have said "cooperate"? Why even say "cooperate"?

A Because it was a negative story that came out in the press about me turning down this committee voluntarily. And, again, in order to stay on message, the only way to stay on message is just cooperate, go in and tell them what you know, and what you know is stay on message.

So, yes, your explanation is plausible, but there is another side that's plausible as well.

Q Sure.

A Stay on message, cooperate, and don't create suspicion.

Q Sure. And the reason I ask is because, I mean, not to be the funniest one in the room, but, I mean, my wife and I have a code too, and I misread that code sometimes --

A Yes.

Q -- and I get in trouble.

So that's the reason why I'm asking this, is because, you know, the President has been very vocal, both, you know, in public, as he said, but also, as we've heard, in private, about there being no Russia story here. And I'm just thinking maybe, perhaps, you had this code, but because he said cooperate, there's nothing to be afraid of, cooperate -- not that he said "nothing to be afraid

of," but you see what I'm saying -- cooperate, you know, there is no Russia, go forward, that is certainly a plausible explanation, no?

A It's plausible.

You know, just to give you an example when you asked about code. So I'm sitting with a friend of mine in a car. We were heading to Teterboro (ph) Airport. And I get a phone call from Mr. Trump -- President Trump. And the First Lady is on the phone at the same time. And that was right after the announcement about the \$130,000 payment.

Now, obviously, he knows that I paid it. We'd had months' worth of conversation about it, not to mention he's already started to pay me back. And he says to me, Michael, he goes, did you really pay \$130,000 to Stormy Daniels? And I said, yes.

And he, of course, had the First Lady on the phone. And I was like, yes. So he goes, well, why'd you do that? I said, well, because sometimes, you know, just because something's not true doesn't mean that it can't hurt you. He goes, wow. He goes, Melania, do you believe that? He took \$130,000 out of his pocket.

And he goes, why didn't you tell me about it? I said, well, I figured I would tell you, but I expected you were going to lose the election. You know, then I would have told you. But, unfortunately, you won, and, you know, I guess I'll just call it a cost of doing business. He's like, man, you're the greatest. He goes, I can't believe that.

I don't believe Melania believed it for a half a second, but that was the code. He didn't have to tell me in advance to lie to the First Lady. I knew exactly what he was saying.

Q Was there an inside joke about the code with people? Did you ever talk to anyone about, like, the code? You know, "You know what Trump's all about, right?" You know, talking to your buddies, talking to people who interact with Mr. Trump about similar instances of the code?

A I don't know if there was a running joke. It's just, you know, you knew -- well, most of us knew, who had, you know, relationships with him, most of us knew what he was thinking or what he was intending to do.

Q Got it. Okay. Thank you.

That's all we have.

THE CHAIRMAN: I'm going to go to Mr. Welch and then to Mr. Goldman.

Just a quick followup question. The President has made, continues to make, repeated public statements that he has had no business dealings with Russia. You knew that to be flatly untrue, correct?

MR. COHEN: Yes, sir.

THE CHAIRMAN: So the code, in case of the business dealings with Russia, was to repeat the falsehood he was saying publicly, was it not?

MR. COHEN: It was to repeat the message, yes.

THE CHAIRMAN: And the message was, we have no business dealings with Russia, and if we ever did, it ended in January.

MR. COHEN: Correct.

THE CHAIRMAN: Mr. Welch.

MR. WELCH: Well, just following up on that, by the time you did the statement, it was clear there were some business dealings with Russia.

MR. COHEN: Oh, yes. Yes, sir.

MR. WELCH: Right. So this statement, if you had put in June instead of

January, you would have been okay.

MR. COHEN: Yes.

MR. WELCH: And it would not --

MR. COHEN: Well, actually, no, sir, because I think it minimizes also the number of communications that I had with the President. I believe so. But if not, that's the other statement. My apologies.

MR. WELCH: Okay. And, I mean, the message wasn't say January, not June. The message was to minimize the contacts with Russia. That had sort of fallen apart because enough information had come out that there, in fact, had been some discussions about a Trump Tower in Russia, correct?

MR. COHEN: That's correct.

MR. WELCH: All right. So who -- I just want to go through a little bit the process of how this was written. You didn't sit down and write this.

MR. COHEN: I don't recall that I wrote this statement, first that I drafted it. But I definitely edited it and put my 2 cents into it. Or I may have drafted it and everybody else started editing it.

MR. WELCH: Well, who actually presented the final product for you to sign?

MR. COHEN: My attorney.

MR. WELCH: And that's Mr. Sekulow?

MR. COHEN: No, that was Steve Ryan.

MR. WELCH: All right, Steve Ryan. And did Mr. Ryan know that June was the right month, not January?

MR. COHEN: I don't recall discussing that with him.

MR. WELCH: Did Mr. Sekulow know that it was June that was the right

month, not January?

MR. COHEN: I believe if he took it to his client, which he stated to me that he did, that he spoke to the client, that he would know that it would be false.

MR. WELCH: Well, why didn't you put in February or March?

MR. COHEN: Because it corresponded to the text message where I'm telling Felix that we're done, I've had enough.

MR. WELCH: So that was the link. And who came up with that connection as the --

MR. COHEN: That was based on --

MR. WELCH: -- justification?

MR. COHEN: I'm sorry. Say it again?

MR. WELCH: No, no. Who came up with that link as a justification to use January, presumably because it would have some credibility tying back to that text?

MR. COHEN: It was based upon the information that was provided to Steve Ryan from The Trump Organization as far as the documents.

MR. WELCH: So just so I understand this, there was communication between Ryan, your attorney, and The Trump Organization about what was going to be the content of this statement?

MR. COHEN: I don't know if there was communication about what was going to be written as much as the documents that were produced in order to produce this document.

MR. WELCH: Well, I'm still a little confused here. There was a decision made by somebody to put down January, correct?

MR. COHEN: Correct.

MR. WELCH: And are you saying that was your decision to put down January?

MR. COHEN: No.

MR. WELCH: You went along for the ride.

MR. COHEN: That's correct.

MR. WELCH: All right. And to the best of your knowledge, who made the decision to put in January?

MR. COHEN: It was -- I had conversations with Jay Sekulow regarding just ending it in January.

MR. WELCH: Elaborate on that a little bit.

MR. COHEN: Because it was -- again, it was about a week or so before the Iowa caucus. And based upon the information that we had, it was just a good end date because it corresponds to documents that were being produced or that we were aware of.

MR. WELCH: Thank you.

THE CHAIRMAN: Did I understand you to say that Mr. Trump reviewed your testimony and approved it through Mr. Sekulow before it was submitted?

MR. COHEN: That was my understanding, that he had also seen the statement.

THE CHAIRMAN: And on what basis is that your understanding?

MR. COHEN: Mr. Sekulow expressed that to me.

THE CHAIRMAN: So Mr. Sekulow told you that the President had read your written testimony, false written testimony, before you provided it to Congress?

MR. COHEN: Yes, that he -- Mr. Sekulow said that he spoke to the client and that, you know, the client likes it and that it's good.

THE CHAIRMAN: Thank you.

Mr. Quigley for one question. Then we've got to get to Mr. Goldman.

MR. QUIGLEY: In everything you've said this week, including what we're talking about now, is there anybody else, when you think about it, that could help substantiate these matters that we haven't talked to or that the President would more than likely have shared some of this information with? His political world, his government world, and his business world.

MR. COHEN: Can you be a little more specific? I also don't know who you spoke to or who --

THE CHAIRMAN: May I make a suggestion, Mr. Quigley?

MR. QUIGLEY: Sure.

THE CHAIRMAN: Because we'd love you to think about that question between now and March 6th and maybe confer with your counsel.

MR. COHEN: Sure.

THE CHAIRMAN: But if you can go through and, you know, look for those prior iterations of your written testimony and any other ideas you have about how your statements may be corroborated.

MR. COHEN: Uh-huh.

MR. QUIGLEY: Who else might corroborate the allegations you've made this week?

MR. COHEN: Well, the conversations, unfortunately, between Jay Sekulow and I were just the two of us.

I am aware, because I've seen it, I believe the Special Counsel's Office had a telephone log that shows Michael, Jay, Jay, Michael, Michael, Michael, Jay, Jay, and it just goes on and on. And it was just, like, long pages. And it's prior -- I

believe around the time of this. So if --

MR. QUIGLEY: We'll follow up.

Go ahead.

THE CHAIRMAN: Mr. Goldman.

BY MR. GOLDMAN:

Q Was that your cell phone?

A Yes.

Q And his cell phone or his office line?

A I don't know, but I would say it was probably his cell phone.

Q Okay.

When I ended my last questioning -- and we're almost done here, so --

A Okay.

Q -- keep with us -- we were just getting in to discuss any conversations you had with anyone related to the White House or the administration about pardons. Who did you speak to about pardons?

A Jay Sekulow.

Q How many times did you speak to Jay Sekulow about pardons?

A Quite a few.

Q Did you speak to anybody else about pardons?

A Yes.

Q [REDACTED] What I'm saying is, did you speak to anybody else associated with the President, the White House, or the administration about pardons?

A No. I believe it was specifically Jay Sekulow.

Q Okay. And --

MR. MONICO: Hold on a second.

[Discussion off the record.]

MR. COHEN: So indirectly? Directly or indirectly?

BY MR. GOLDMAN:

Q Direct conversations.

A Direct, it would be, I believe, Jay Sekulow.

Q And how many conversations did you have?

A Quite a few.

Q In what time period?

A Around the time of this investigation and post-

Q Before you testified?

A Yes, before and after.

Q Before and after.

A Yes.

Q Okay.

A The concept of pre-pardon had come up before, and the problem with that, which we ultimately --

Q Well, hold on. Hold on.

A Sorry.

Q What is -- you had a conversation with Jay Sekulow about something called a pre-pardon?

A Yes.

Q How many conversations did you have with him about pre-pardoning?

A One or two.

Q And what did he say to you?

A The problem with a pre-pardon is that you have to answer every question because technically you have immunity, so you can't assert any Fifth Amendment privilege.

Q Let's back up for a second, because that presupposes that you've already discussed the idea of you getting a pardon. Did Jay Sekulow tell you that the President was considering giving you a pardon?

A That's not the way that he stated it, but we had a conversation, one at least -- I believe it may have been two -- and I am not 100 percent certain of the exact date that that occurred, but the concept of a pre-pardon was discussed, yes.

Q Okay. So if you said that's not exactly how he said it, what do you remember him saying about the idea of you getting a pardon?

A Well, it wasn't just me. It was globally, in order to, I guess, shut down, you know, this investigation. And I had said to him, you know, what -- well, you know, there's always the possibility of a pre-pardon. And --

Q Let's take your time, because it's important for us to understand not just the gist of the conversation but who said what exactly. All right?

So you mentioned something called a global pardon. Did he use that term?

A No.

Q Okay. What do you mean by a global pardon?

A Okay. That in order to shut this whole thing down, that this is how they were potentially going to do it, and everybody would just get a pardon. And said, well, it wouldn't be a pardon, it would be a pre-pardon, because nobody's

been charged yet.

So it ultimately just became, that's not really something that could be accomplished, because then they'd have the right, again, to ask you questions, everyone on the team.

Q So when you say everyone, who do you mean?

A I guess whoever it is that you started to request to come in, testify, subpoenaed. I don't know who --

Q So he did not define anyone?

A No. I'm sorry. There was no definition.

Q Did he mention anybody else's name who may have been considered for a pardon?

A Not that I recall.

Q Okay. The message -- was the message that you received that the President was considering to give you and others a pardon? Is that what your testimony is?

A No. My testimony is that topic came up, and I had conversations with Jay Sekulow regarding the possibility of pardons.

Q Okay. So it wasn't that the President -- did Jay Sekulow say anything about the President being involved in these ideas?

A Well, in our conversations, it was always about the client, you know, where he would say to me that the client is, you know, sorry that you're going through this, I just got off the phone with him, or I just left him, and, you know, he loves you and, you know, can't believe this is happening. And then topics of conversation that included pardons also came up.

Q And how did they come up?

A In the conversation.

Q Okay. And what did he say to you?

A Again, you're asking me to sort of respond back --

MR. MONICO: We can do this. We can try -- we'll go over these in the next couple days.

MR. GOLDMAN: Okay.

MR. COHEN: And I may actually have a text or something that's out there. I will search for them.

MR. GOLDMAN:


Q What we would appreciate you also looking for is any communications that you had, either by email or text, with Mr. Sekulow.

A Sure.

Q You also indicated there were indirect messages relayed to you about pardons?

A Yes.

Q And what do you mean by that?



A -- it's an individual who has a relationship to somebody inside the White House that is closely connected to the President that not only spoke to me about pardons in person, on the telephone, and also via -- I believe that there might even be a text or an email. I'd have to check on that one. Yeah, an email.

Q So there is some person who we will not name here --

A Correct.

Q -- to protect the investigation --

A Yes, sir.

Q -- who was relaying messages from the White House to you about the possibility of a pardon?

A Yes. And that's through this individual who has a relationship to the President.

Q And was this before or after the search warrants were executed?

A I believe after.

Q Okay. So that would've been after April 9, 2018?

A Yes.

Q Okay. After those search warrants, did you ever have any conversations with Jay Sekulow about a possible pardon?

A I don't believe so.

Q Okay. So your conversations with Jay Sekulow predated the search.

A Yes, I believe so.

Q Let's just finish up on the Jay Sekulow stuff. You said you think you had conversations with him about pardons both before and after your testimony here, October 24, 2017?

A Yes.

Q Is that right?

A Yes.

Q Okay. Were they all similarly about pre-pardons?

A Pre-pardons and/or pardon.

Q Because did he indicate to you that there was a consideration after

your testimony here of pardoning anybody else?

A I don't recall if that was the --

Q Did he ever make -- did he ever say anything to you about the possibility of pardoning Michael Flynn?

A No. We didn't discuss Michael Flynn, not that I recall.

Q Did he ever say anything to you about the possibility of pardoning Paul Manafort?

A Not that I recall. It was more --

Q How about Rick Gates?

A Again, it was more just as a global sort of conversation.

Q And when he was talking about everybody, did you understand him to mean people that had already been charged by the special counsel?

A Yes.

Q So that would not have been a pre-pardon, correct?

A That would not have been a pre-pardon.

Q And did he draw that distinction to you?

A We didn't get that deep into the woods.

Q Okay.

Let's go back to this unnamed intermediary.

A Yes.

Q Is this person's connection in the White House also Jay Sekulow?

A No.

Q Is it someone in the White House Counsel's Office?

A I don't believe so, no.

Q But it's someone affiliated with the President.

A Yes.

Q Someone who works in the administration?

A Do you mean affiliated or close to?

Q Well, you tell me.

A Close to.

Q Close to the President.

A Yes.

Q Employed by the White House?

A What, are we playing that game where you put it on your forehead?

Q I'm grasping for straws here, Mr. Cohen. I'm just trying to figure out who the -- not the intermediary. You don't have to talk about the intermediary.

A Well, if you ask me any more questions, it's either the person or King Kong, right?

Q Well, there are a lot of other options. You said it's someone close to the President.

A Yes.

Q Is it a friend of the President?

A I'd prefer not to answer that question, please.

MR. MONICO: We can check and get back to you on that.

THE CHAIRMAN: Can I -- just, if I could, Mr. Goldman.

The second person that we're talking about, but not by name, that has a contact within the White House, the contact within the White House is close enough to the President to be able to make the case for a pardon?

MR. COHEN: Yes, sir.

THE CHAIRMAN: And this intermediary, did they reach out to you or did

you reach out to them about the subject of the pardons?

MR. COHEN: Well, they reached out to me. And the topic of conversation was part of that initial and subsequent conversations.

THE CHAIRMAN: And did they reach out to you, was it your impression, for the purpose of discussing a pardon with you?

MR. COHEN: Amongst other things, yes.

THE CHAIRMAN: And did this intermediary tell you whether they had been tasked to do that by this associate of the President?

MR. COHEN: No. But what they did is they included that individual's name who's close to the President, including sending me a screenshot of my name from the telephone log and then the individual that's close to the President's name, and then another conversation with that individual and then my name again, to demonstrate that he actually was speaking to this person.

THE CHAIRMAN: And was it your impression from the conversation you had with this intermediary that the subject of a pardon for you had been discussed with the President?

MR. COHEN: I'd have to actually go back and refer to the text. I don't want to be wrong on that answer, but --

THE CHAIRMAN: And was there any suggestion as to what you needed to do or not do in order to get a pardon?

MR. COHEN: No.

THE CHAIRMAN: Was there any indication in that conversation with the intermediary about why they were approaching you on the subject of a pardon?

MR. COHEN: Not that I recall.

THE CHAIRMAN: And how many conversations did you have with this

intermediary?

MR. COHEN: Quite a few. About at least 10, maybe more.

THE CHAIRMAN: And they began after the search?

MR. COHEN: Yes.

THE CHAIRMAN: And they continued until what point?

MR. COHEN: I would say approximately 2 months.

THE CHAIRMAN: They had 2 months of duration after the search?

MR. COHEN: Yes.

THE CHAIRMAN: And was there a precipitating event that brought about an end to those discussions?

MR. COHEN: Yes.

THE CHAIRMAN: What was that event?

MR. COHEN: The answer to that would actually kind of give away the answer.

[Discussion off the record.]

MR. COHEN: Well, something occurred with me where --

THE CHAIRMAN: I was going to say, was it a change in your circumstance or theirs?

MR. COHEN: Mine. That -- yes, that's why I decided --

THE CHAIRMAN: Okay.

MR. COHEN: -- to disengage that person in conversation.

THE CHAIRMAN: I see. Okay.

If I could, with respect to Mr. Sekulow, you had repeated conversations with him on the subject of pardons?

MR. COHEN: Yes.

THE CHAIRMAN: And did he indicate that he was having those conversations with you at the behest of the President?

MR. COHEN: At the behest of the President? I don't know. That the President knew of the conversations.

THE CHAIRMAN: So he let you know that he was discussing with the President a potential pardon for you?

MR. COHEN: Yes, that that was part of our conversations.

THE CHAIRMAN: And did the conversations with Sekulow on the subject of pardons take place before or after the search of your premises?

MR. COHEN: Well, there were some that I believe were before, which is why I wanted to check in terms of timing, and then definitely after.

THE CHAIRMAN: And were any of the conversations you had with Mr. Sekulow contemporaneous with the conversations you had with the second intermediary?

MR. COHEN: It's possible, yes. It's possible. Again, I'd have to just check.

THE CHAIRMAN: And you had --

MR. MONICO: Well, hold on one second.

[Discussion off the record.]

MR. COHEN: I don't recall if I spoke with Sekulow after the raid. But I may have, though. That's why I want to just check.

THE CHAIRMAN: Did the two know of each other? Did Mr. Sekulow know there was a second person acting as an intermediary for someone in the White House?

MR. COHEN: I don't recall that.



THE CHAIRMAN: Just let me ask one other question, and then I'll turn it over to my colleagues on this subject --

MR. COHEN: Sorry. I really don't want to be evasive. I'm just trying to respect, you know, the request.

THE CHAIRMAN: No, no, no. Listen, you've had three gruesome days, and none of us can imagine what you've been through.

MR. COHEN: Thank you.

THE CHAIRMAN: You described conversations with Mr. Sekulow at times when he would talk globally about maybe we'll give everyone a pardon and make this thing go away, correct?

MR. COHEN: Correct.

THE CHAIRMAN: Were there also conversations, though, that were quite specific to you? I'm talking to my client, he knows about this, we're discussing a pardon for you.

MR. COHEN: I don't know if he would specifically state it, again, the way

that you're putting it, where I just got off the phone with a client or something. But, yes, there were conversations that were specific to me regarding a potential pardon.

THE CHAIRMAN: My colleagues, and we'll let Mr. Goldman finish up after.

MR. MALONEY: Mr. Cohen, you said there was a screenshot that the unnamed individual sent you. Could you tell us about that, please, a little more? I think you said that it was intended to show you that that person was communicating with someone close to the President and it was a screenshot of a phone log from, like, an iPhone? Is that what you were saying?

MR. COHEN: Yes, sir.

MR. MALONEY: And the point of that screenshot was, again --

MR. COHEN: To show that he had the relationship with the individual, that it wasn't fake.

MR. MALONEY: But did that screenshot show recent communications that were intended to assure you that that person was speaking on behalf of that person close to the President?

MR. COHEN: Yes.

MR. MALONEY: And if you recall, how recently were those interactions with the person close to the President that were reflected in that screenshot?

MR. COHEN: To the best of my recollection, it was that day or the day earlier.

MR. MALONEY: So, in effect, it was meant to tell you, look, I'm talking to this person right now; you can talk to me.

MR. COHEN: Yes, sir. That's exactly what it was meant to do.

MR. MALONEY: And you still have a copy of that screenshot?

MR. COHEN: Yes, sir.

MR. MALONEY: Thank you.

THE CHAIRMAN: Mr. Castro?

MR. CASTRO: No questions.

THE CHAIRMAN: Mr. Goldman?

BY MR. GOLDMAN:

Q I just had a couple of followup questions.

In any of your conversations with Mr. Sekulow when you discussed pardons, did he reference in any way, either directly or indirectly, that he knew that you had made false statements to Congress?

A Well, he -- I believe that he knew that the January date was inaccurate.

Q But I'm saying, in those conversations about the pardons, did he say that that was a reason why they were discussing a pardon for you?

A Specifically? Not that I recall.

Q And just so we're clear, what was the reason why Jay Sekulow gave to you for why you would receive a pardon?

A Because there's no Russia, there's no collusion, and this whole matter should just go away.

Q I'm talking about Mr. Sekulow, not Mr. Trump.

A Right, but he was speaking on behalf of his client.

Q Right. But so the whole issue go away, what did he issue by the whole issue going away?

A Well, here I was in a situation where now I'm testifying, and there is a lot going on, and I certainly didn't want this in my life, and the President didn't want

this, you know, going on either, and the topic of pardons came up.

Q And is it fair to say that the reason why they were considering what you called a global pardon was to get rid of these investigations?

A To shut down the investigation.

Q Okay.

THE CHAIRMAN: I have one last question, and then we'll let you go, Mr. Cohen.

MR. COHEN: Thank you.

MR. BITAR: We have a final statement.

THE CHAIRMAN: Oh, and a final statement. Okay.

Mr. Trump reportedly said of his firing of Comey that it would lift the cloud and make the Russia stuff go away, or words along those lines. Was it your sense in talking about a pardon of all these persons that it would likewise make the Russia problem go away?

MR. COHEN: That's what I believed, yes.

THE CHAIRMAN: Maher.

Oh, Mr. Swalwell.

MR. SWALWELL: Why did you not go along with the pardon plan?

MR. COHEN: I would've taken it at that point in time, you know, early on, because then it was, well, you know, you have to wait until you get further down the road.

MR. SWALWELL: Why aren't you going along with it now?

MR. COHEN: I'm sorry?

MR. SWALWELL: Why aren't you going along with it now?

MR. COHEN: I -- because I don't want a pardon from him. And it was

supposed to end in 4 weeks, and then it was 6 weeks, as I had previously stated. And they said to me, well, you know, it will be September. And then September came around, and the joint defense agreement came to an end. You know, Mr. Trump refused to make payments to the lawyers, and --

[Discussion off the record.]

MR. COHEN: Because I don't want it. I don't want it from him. I accepted the responsibility. You know, I took the plea, and I'm prepared to accept the consequences. There's much more here, and I just don't believe --

MR. SWALWELL: And do you believe that, had you just stayed engaged on the pardon talk, even having the raid happen and the indictments dropped, that if you'd just gone along and stayed on message, that you probably could have gotten the --

MR. COHEN: I don't believe it. I don't believe that the President is going to give Manafort a pardon. I don't believe he would give anybody a pardon.

And, again, so, talk about code, right? He sends out these messages that if you take the fall for him, you're a good guy, and if you don't, you're weak or you're a rat. Meaning, someone like myself, that there's definitely no pardon for you.

He'll never give Manafort or anybody a pardon because politically it's not going to be good for him. So he's going to keep it on message so that Manafort stays silent, and Roger Stone, and they just go along with, again, the narrative, but he'll let them rot in jail forever. He just doesn't care.

MR. SWALWELL: Yield back.

MR. COHEN: It's all about him.

THE CHAIRMAN: Maher.

MR. BITAR: Thank you.

To conclude today's interview, my name is Maher Bitar. I'm the general counsel for the committee. Thank you for appearing today and for committing to return on March 6th.

MR. COHEN: Yes.

MR. BITAR: In advance of your appearance on March 6th, we will be sending a formal communication to your counsels listing the documents that we seek from you as well as asking you to recall and refresh your memory on certain matters that we've discussed during the proceeding.

The documents will include, to the extent you have access to them, the joint defense agreement; phone records reflecting some of the time periods that we have discussed during today's interview; drafts of your statements to this committee, including multiple drafts if there are; Mr. Quigley asked you about who else could substantiate certain discussions; any text communications --

THE CHAIRMAN: Could I interrupt for one moment before members leave the room?

MR. BITAR: Yep.

THE CHAIRMAN: Today's session is in executive session. I just want to remind everyone. Nothing that was said here leaves the room. And of particular sensitivity is anything concerning the potential actions by the Southern District of New York or the special counsel.

So I just want to remind everybody, none of this stuff that we talked about today leaves the room.

Thank you.

MR. BITAR: Thank you.

And just, finally, there was also discussion of a screenshot.

MR. COHEN: Uh-huh.

MR. BITAR: We will catalog all of this in a formal communication from the committee to your counsels.

Separately, we provided to the minority a complete set of the exhibits today, only some of which were introduced into the record. These include executive session and other sensitive material. And as discussed with the minority, we will be collecting them now and we will bring them back to the March 6th appearance.

Thank you very much.

MR. COHEN: Thank you.

[Whereupon, at 5:01 p.m., the deposition was concluded.]

McDermott
Will & Emery

minority
exhibit
2

entered
12:33 pm
by Rep. Ratcliffe

Boston Brussels Chicago Düsseldorf Frankfurt Houston London Los Angeles Miami
Milan Munich New York Orange County Paris Rome Silicon Valley Washington, D.C.
Strategic alliance with MWE China Law Offices (Shanghai)

Stephen M. Ryan
Attorney at Law

August 14, 2017

VIA E-MAIL

Hon. K. Michael Conaway
Hon. Adam B. Schiff
c/o Mr. Kashyap P. Patel, Esq.
Mr. Wells C. Bennett, Esq.
Ms. Shannon L. Green, Esq.
House Permanent Select Committee on Intelligence
HVC-304, The Capitol
Washington, D.C. 20515

Re: Michael D. Cohen, Esquire

Dear Representatives Conaway and Schiff:

I am writing on behalf of my client, Michael Cohen, in connection with the inquiry of the House Permanent Select Committee on Intelligence (the "Committee") into potential Russian interference in the 2016 U.S. presidential election. We have previously delivered to your offices two document productions and have others in preparation. The Committee included Mr. Cohen in its inquiry based solely upon certain sensational allegations contained in the "Company Intelligence Reports" (the "Dossier") released to the public in or around January 2017. Absent those allegations, Mr. Cohen would not be involved in your investigation. We now write to address those allegations.

As a preliminary matter, we have not uncovered a single document that would in any way corroborate the Dossier's allegations regarding Mr. Cohen, nor do we believe that any such document exists. Mr. Cohen vehemently denies the claims made in the Dossier about him, which are false and remain wholly unsubstantiated. We believe the allegations are so profoundly wrong about Mr. Cohen that the Dossier is libelous and any repetition of its allegations by the Committee should be rejected.

Instead, we believe the Committee should discern and publicly disclose the entity or entities that paid for the 35-page Dossier. It should seek all the work papers of the Dossier's author, MI-6 former intelligence agent, Mr. Christopher Steele. It should consider whether the Dossier was intended to and did impact the election by making totally false allegations about Mr. Cohen and others.

U.S. practice conducted through McDermott Will & Emery LLP.

The McDermott Building, 500 North Capitol Street, N.W. Washington, D.C. 20001-1531 Telephone: [REDACTED] Facsimile: + [REDACTED] www.mwe.com



Hon. K. Michael Conaway
Hon. Adam B. Schiff
August 14, 2017
Page 2

If Mr. Cohen were questioned about the Dossier's allegations, we believe that he would provide the information set forth below. Mr. Cohen vehemently denies not only the allegations addressed below, but also any and all substantively similar allegations, as well as any summaries of those allegations.

1. **Allegation (Page 18): "Kremlin insider reports TRUMP lawyer COHEN's secret meeting/s with Kremlin officials in August 2016 was/were held in Prague":** Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen has only one passport, which was issued by the U.S. Department of State. Mr. Cohen has never traveled to Prague, Czech Republic, as evidenced by his passport. He did not participate in meetings with Kremlin officials in Prague in August 2016.
2. **Allegation (Page 18): "Rossotrudnichestvo was being used as cover for this relationship and its office in Prague may well have been used to host the COHEN/Russian Presidential Administration (PA) meeting/s.":** Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen is not familiar with the organization, Rossotrudnichestvo, or its members, nor is he aware of having any dealings with the organization as described. Mr. Cohen has never traveled to Prague, Czech Republic, as evidenced by his passport. He did not meet "officials from the PA Legal Department clandestinely in an EU country in August 2016."
3. **Allegation (Page 18): "KOSACHEV, also 'plausibly deniable' being part of the Russian legislature rather than executive, had facilitated the contact in Prague and by implication, may have attended the meeting/s with COHEN there in August.":** Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen has never traveled to Prague, Czech Republic, as evidenced by his U.S. passport. He did not participate in meetings of any kind with Kremlin officials in Prague in August 2016. Mr. Cohen does not know Kostantin Kosachev, nor has he ever met with Mr. Kosachev.
4. **Allegation (Page 18): "COHEN met officials from the PA Legal Department clandestinely in an EU country in August 2016. This was in order to clean up the mess left behind by western media revelations of TRUMP ex-campaign manager MANAFORT's corrupt relationship with the former pro-Russian YANUKOVYCH regime in Ukraine and TRUMP foreign policy advisor, Carter PAGE's secret meetings in Moscow with senior regime figures in July 2016. According to the Kremlin advisor, these meeting/s were originally scheduled for COHEN in Moscow but shifted to what was considered an**

Hon. K. Michael Conaway
Hon. Adam B. Schiff
August 14, 2017
Page 3

operationally 'soft' EU country when it was judged too compromising for him to travel to the Russian capital.” Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen did not meet “officials from the PA Legal Department clandestinely in an EU country in August 2016.” Mr. Cohen has never traveled to Russia, nor was he ever scheduled to travel to Moscow for the purposes described.

5. **Allegation (Page 30): “[A] key role in the secret TRUMP campaign/Kremlin relationship was being played by the Republican candidate’s personal lawyer Michael COHEN.”** Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen is not aware of any “secret TRUMP campaign/Kremlin relationship.” Mr. Cohen did not play any role in this fictitious relationship.
6. **Allegation (Page 32): “Kremlin insider outlines important role played by TRUMP’s lawyer COHEN in secret liaison with Russian leadership.”** Mr. Cohen denies this allegation and it is entirely false.
7. **Allegation (Page 32): “COHEN engaged with Russians in trying to cover up scandal of MANAFORT and exposure of PAGE and meets Kremlin officials secretly in the EU in August in pursuit of this goal.”** Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen did not participate in any secret meetings with Kremlin officials in the European Union in August. Mr. Cohen has never “engaged with Russians” in an attempt to conceal or suppress information about Paul Manafort, Carter Page, or anyone else.
8. **Allegation (Page 32): “[A] Kremlin insider highlighted the importance of Republican presidential candidate Donald TRUMP’s lawyer, Michael COHEN, in the ongoing secret liaison relationship between the New York tycoon’s campaign and the Russian leadership. COHEN’s role had grown following the departure of Paul MANNAFORT as TRUMP’s campaign manager in August 2016.”** Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen is not aware of any “ongoing secret liaison relationship” between the Trump campaign and “Russian leadership,” nor did he play any role in such a relationship.

9. **Allegation (Page 32): "COHEN now was heavily engaged in a cover up and damage limitation operation in the attempt to prevent the full details of TRUMP's relationship with Russia being exposed.":** Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen is not aware of any impropriety relating to Mr. Trump's "relationship" with Russia, nor is he aware of Mr. Trump having any improper political relationship with officials of the Russian Federation. Accordingly, Mr. Cohen has taken no action whatsoever to "cover up" any aspect of Mr. Trump's dealings in Russia.
10. **Allegation (Page 33): "Things had become even 'hotter' since August on the TRUMP-Russia track. According to the Kremlin insider, this had meant that direct contact between the TRUMP team and Russia had been farmed out by the Kremlin to trusted agents of influence working in pro-government policy institutes like that of Law and Comparative Jurisprudence. COHEN however continued to lead for the TRUMP team.":** Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen is not aware of any indirect communications between the "TRUMP team" and "trusted agents" of the Kremlin. Mr. Cohen did not play any role in such communications.
11. **Allegation (Page 34): "TRUMP's representative COHEN accompanied to Prague in August/September 2016 by 3 colleagues for secret discussions with Kremlin representatives and associated operators/hackers":** Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen has never traveled to Prague, Czech Republic, as evidenced by his passport. Mr. Cohen did not participate in discussions of any kind (secret or otherwise) with "Kremlin representatives and associated operators/hackers" in August or September 2016.
12. **Allegation (Page 34): "COHEN had been accompanied to Prague by 3 colleagues and the timing of the visit was either in the last week of August or the first week of September. One of their main Russian interlocutors was Oleg SOLODUKHIN operating under Rossotrudnichestvo cover.":** Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen has never traveled to Prague, Czech Republic, as evidenced by his passport. Mr. Cohen is not familiar with the organization, Rossotrudnichestvo, or its members, nor is he aware of having any dealings with the organization as described. Mr. Cohen does not know Oleg Solodukhin, nor has he ever met with Mr. Solodukhin.

Hon. K. Michael Conaway
Hon. Adam B. Schiff
August 14, 2017
Page 5

13. **Allegation (Page 35): "In Prague, COHEN agreed contingency plans for various scenarios to protect the operation, but in particular what was to be done in the event that Hillary CLINTON won the presidency.":** Mr. Cohen denies this allegation and it is entirely false. Mr. Cohen has never traveled to Prague, Czech Republic, as evidenced by his passport. Mr. Cohen was not part of any "operation," nor did he ever discuss or agree to plans of the type described.

In an egregious attempt to link Mr. Cohen to an imagined scheme, the Dossier states, "COHEN's wife is of Russian descent and her father a leading property developer in Moscow." Mr. Cohen denies the implication of this statement, which is both offensive and patently absurd. Mr. Cohen's wife is from the Ukraine and came to the United States when she was five years old. Mr. Cohen's father-in-law is not a "leading property developer in Moscow," nor does he own a dacha in Russia. Neither Mr. Cohen nor any member of his family had any involvement in the conduct alleged in the Dossier.

Other sources have also refuted the Dossier's allegations regarding Mr. Cohen. We have attached a few, representative examples of news articles refuting the Dossier's allegations:

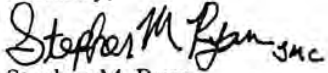
- Natasha Bertrand, *Explosive memos claim Trump's lawyer met with Kremlin officials – but he may have been mistaken for a person with the same name*, BUSINESS INSIDER, Jan. 11, 2017, <http://www.businessinsider.com/michael-cohen-trump-2017-1> ("On Wednesday, a US government source told CNN's Jake Tapper that a different Michael Cohen, not Trump's lawyer, was in Prague in August and September 2016")
- Shane Harris, Devlin Barrett, and Alan Cullison, *Spy Agencies Investigating Claims Trump Advisers Worked With Russian Agents*, THE WALL STREET JOURNAL, Jan. 9, 2017, <http://www.wsj.com/articles/spy-agencies-investigating-claims-trump-advisers-worked-with-russian-agents-1484101731> ("The FBI has found no evidence that [Cohen] traveled to the Czech Republic, where the meeting allegedly took place in August of last year, officials said.")
- Brian Ross, Matthew Mosk, and Patrick Reevell, *Former British Spy Gathered Unsubstantiated Intel on Trump, Officials Say*, ABC NEWS, Jan. 11, 2017, <http://abcnews.go.com/US/british-spy-gathered-unsubstantiated-intel-trump-officials/story?id=44720601> ("ABC News went to the address linked to the property developer in Moscow identified in the report as Cohen's father in law. A tenant at the luxury Moscow residence put ABC News in contact with the owner, who said emphatically that he had no connection to Cohen.")

Hon. K. Michael Conaway
Hon. Adam B. Schiff
August 14, 2017
Page 6

We do not believe that the Committee should give credence to or perpetuate any of the Dossier's allegations relating to Mr. Cohen unless the Committee can obtain independent and reliable corroboration of those allegations, which we do not believe exists. Based on Mr. Cohen's proffered responses to the Dossier's allegations, we do not believe that an interview or testimony concerning these allegations is warranted.

Please contact me at your earliest convenience at [REDACTED] if you have any questions about this submission.

Sincerely,


Stephen M. Ryan
Counsel for Michael Cohen

Enclosures

BUSINESS INSIDER

Explosive memos claim Trump's lawyer met with Kremlin officials — but he may have been mistaken for a person with the same name



NATASHA BERTRAND
JAN. 11, 2017, 10:11 AM

Memos authored by a British operative and provided to US intelligence officials about President-elect Donald Trump's ties to Russia claim that Trump's lawyer, Michael Cohen, met secretly with Kremlin officials in Prague in August 2016.

Cohen has dismissed the reports on the memos as "fake news," and accounts corroborating his version of events have surfaced since the material in the memos, which is unverified, was published in full by BuzzFeed on Tuesday.

"Speaking to a compatriot and friend on 19 October 2016, a Kremlin insider provided further details of reported clandestine meeting/s between Republican presidential candidate Donald Trump's lawyer Michael COHEN and Kremlin representatives in August 2016," the dossier reads.

"The Kremlin insider clearly indicated to his/her friend that the reported contact/s took place in Prague, Czech Republic," it said.

The memos claimed that the Trump campaign and the Kremlin had established an "exchange of information" of "mutual benefit" that was in part facilitated by Cohen.

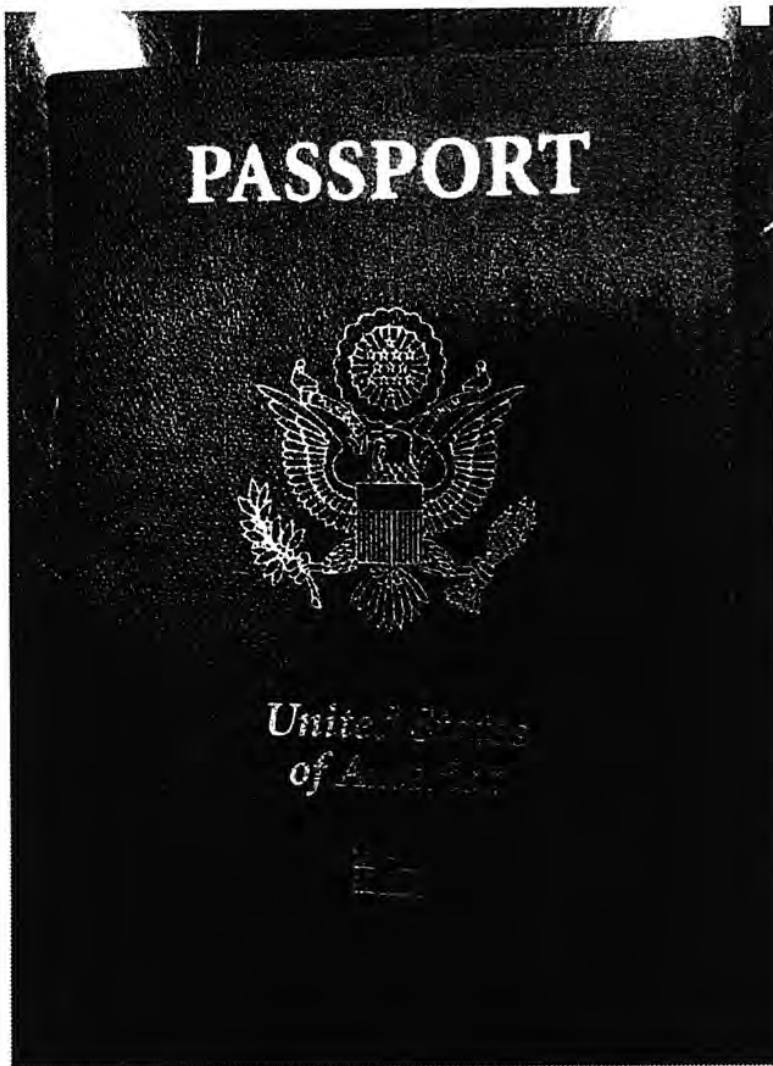
Cohen denied the allegations on Twitter on Tuesday night, shortly after CNN broke the story that the FBI and the CIA had presented a synopsis of the unidentified British operative's intelligence to Trump last week as part of a classified report.

"I have never been to Prague in my life. #fakenews," Cohen tweeted. He included a photo of his passport.



Michael Cohen, an attorney for President-elect Donald Trump.

Richard Drew/AP



Michael Cohen
@MichaelCohen212

Follow

I have never been to Prague in my life. #fakenews

9:21 PM - Jan 10, 2017

7,802

11,121

31,779

Cohen told *The Atlantic* that he was in New York for the better part of August and visited the University of Southern California with his son at the end of the month to check out its baseball team. Their visit on August 29 was corroborated by a person within USC baseball who talked with *The Atlantic*.

On Wednesday, a US government source told CNN's Jake Tapper that a different Michael Cohen, not Trump's lawyer, was in Prague in August and September 2016.

The memos from the British operative, who is apparently considered legitimate by US intelligence officials, were compiled in a dossier that has been circulating among journalists and government officials since last year.

THE WALL STREET JOURNAL

POLITICS

NATIONAL SECURITY

Spy Agencies Investigating Claims Trump Advisers Worked With Russian Agents

The unverified allegations—including a claim Russia has material that could be used to blackmail Mr. Trump—were deemed sufficiently significant to brief the president-elect



U.S. President-elect Donald Trump listening to members of the media in the lobby of Trump Tower in New York on Monday. PHOTO:ALBIN LOHR-JONES/PRESS POOL

By

Shane Harris,

Devlin Barrett and

Alan Cullison

January 9, 2017

U.S. intelligence agencies and the Federal Bureau of Investigation have spent months trying to substantiate explosive claims, compiled by a former Western intelligence official, that Russian

government operatives engaged in an extensive conspiracy with advisers to Donald Trump's presidential campaign and employees of his company, people familiar with the matter said.

The unverified allegations—including a claim Russia has material that could be used to blackmail Mr. Trump—were deemed sufficiently significant by senior intelligence officials to summarize them in a two-page addendum to the classified briefing President-elect Trump received last Friday about Russian efforts to influence the U.S. presidential campaign, the people said.

"FAKE NEWS - A TOTAL POLITICAL WITCH HUNT!" Mr. Trump tweeted after the allegations surfaced publicly Tuesday evening.

U.S. officials confirmed that a summary of the information had been given to Mr. Trump. They said sharing of such unverified information was taken out of an abundance of caution that the incoming president should be aware of allegations being made against him that could become public—a decision intelligence experts backed. President Barack Obama received the same information, officials said.

The agencies are continuing to investigate the claims, the people familiar with the matter said.

Russia on Wednesday denied it had compromising material on Mr. Trump, calling the report an "absolute fabrication" and an attempt to damage U.S.-Russian relations.

"I can picture how difficult a decision this must have been," former CIA Director Michael Hayden said of the decision to inform Mr. Trump. "But if we had this data, others may have had this data too. And regardless of truth or falsity, I can see why they thought the president-elect should know."

Among the allegations, contained in a set of confidential memos written by the former official, are that Mr. Trump's attorney, Michael Cohen, met with Kremlin officials and discussed how to arrange cash payments to hackers working under Moscow's direction against the presidential campaign of Hillary Clinton. The FBI has found no evidence that he traveled to the Czech Republic, where the meeting allegedly took place in August of last year, officials said.

Mr. Cohen, in an interview, denied any such meeting. He said in an interview Tuesday evening that he had never been contacted by the FBI or any other U.S. agency on these issues. He said Mr. Trump has also not contacted him about them. Mr. Cohen said he previously knew about the allegations because he had been contacted about them by journalists.

The former official who compiled the dossier works for a private investigations company and was hired by both Republicans and Democrats to investigate Mr. Trump, according to one official close to the matter. His reports have circulated for months among law-enforcement and intelligence agencies as well as congressional offices and news outlets, including The Wall Street Journal. While U.S. agencies have been unable to verify the allegations, the former official who produced the report has a long and respected track record among intelligence officials. The Journal hasn't been able to verify the allegations.

The memos, which have been the subject of intense interest, include claims that Russian officials have evidence of Mr. Trump engaging in sexual acts with prostitutes and have held the information in reserve as potential blackmail.

The memos were published in full online Tuesday evening, amid the latest twist in a monthslong feud between the intelligence community and Mr. Trump over the question of whether and why Russia interfered with the U.S. election.

Before last week's briefing, the heads of the intelligence agencies spent hours testifying before the Senate about their evidence, which showed that Russian President Vladimir Putin ordered an extensive hacking campaign and leaks of private emails, principally directed at Democrats, in a bid to help Mr. Trump.

Mr. Trump had expressed skepticism about the claims. After the briefing he received Friday, he toned down his rhetoric and seemed to allow that the Russians had engaged in hacking, though he later added that it was important for the U.S. to maintain good relations with Russia.

Russian officials have repeatedly denied involvement in election-related hacking or trying to influence the U.S. presidential election.

The revelations about the unsubstantiated allegations could complicate a week in which several of Mr. Trump's highest-level cabinet officials face confirmation hearings before the Senate and when Mr. Trump, on Wednesday morning, is scheduled to give his first press conference since July.

Top lawmakers already have inquired publicly about the kinds of issues described in the memos. In a hearing Tuesday with four top intelligence officials, Sen. Ron Wyden (D., Ore.) asked FBI Director James Comey if the bureau had investigated whether individuals close to the Trump campaign have any links to Russians. Mr. Comey declined to answer, saying he couldn't confirm or deny if an investigation had begun.



FBI Director James Comey before the Senate Select Committee on Intelligence on Tuesday. PHOTO: JOSHUA ROBERTS/REUTERS

CNN first reported that officials had given the allegations to Mr. Trump.

"The story as presented by CNN lacks any accuracy and is yet another attempt to discredit Mr. Trump's landslide victory in this election," said Mr. Cohen, executive vice president of the Trump Organization and special counsel to the president-elect.

Mr. Trump won the electoral college but lost the popular vote to Mrs. Clinton.

Mr. Cohen said that there is “zero truth” to the idea that there has been any relationship between the Trump Organization and the Russian government or any ongoing communications during the campaign between the Trump campaign and Russian affiliates.

A Russian official who was alleged to have met with Mr. Cohen in Prague, Oleg Solodukhin, also denied any such meeting took place, calling the report “some kind of misunderstanding.”

House Intelligence Committee Chairman Devin Nunes (R., Calif.) said that he hadn’t seen the memos and that they hadn’t been discussed in a briefing on Tuesday for the heads of the intelligence committees and top lawmakers from the House and Senate, the so-called Gang of Eight.

“It should not be a surprise to anyone that the Russians are always looking for dirt on any politician,” he said. “That wouldn’t be news.”

Asked how damaging the implications could be to Mr. Trump, Mr. Nunes said. “I would not jump to any conclusions here. This seems maybe taken a little out of context.”

Mr. Nunes is one of the lawmakers working with Mr. Trump’s transition team.

Lt. Gen. Michael Flynn and K.T. McFarland, Mr. Trump’s picks for national security adviser and deputy national security adviser respectively, declined to comment on the reports.

The memos appear to have been a subject of interest in Congress since last fall. In an Oct. 30 letter, then-Senate Minority Leader Harry Reid (D., Nev.) wrote to Mr. Comey accusing him of “a disturbing double standard for the treatment of sensitive information.”

Mr. Reid wrote that Mr. Comey had publicized any potentially damaging information about Hillary Clinton, while behaving very differently regarding Mr. Trump.

“You possess explosive information about close ties and coordination between Donald Trump, his top advisors, and the Russian government,” Mr. Reid wrote. “The public has a right to know this information. I wrote to you months ago calling for this information to be released to the public.”

Majority Exhibit 2

Message

From: Giorgi Rtskhiladze [REDACTED]
Sent: 9/24/2015 5:47:10 PM
To: Michael Cohen [/O=TRUMP ORG/OU=First Administrative Group/cn=Recipients/cn=mcohen]
Subject: Re: Дональд Трамп.doc

HPSCI – Michael Cohen
(Feb. 28, 2019)

*entered
1:16 pm
by
Nicolas
Mitchell*

Here is an interpreted quick translation. Let's discuss this and the rest at 3pm



"To Mayor of Moscow, Mr. Sergei s. Sobyenin.

Dear Mayor,

Based on the rapid development of Moscow's real estate sector in the past a few years and it's ever-growing potential the Trump Organization is being approached by the Global Prospect LLC a Moscow based real estate development company co-founded by one of legendary Russian architects, developer and a statesman Mr. Michael Posokhin to participate in a project of a monumental proportions which would be called Trump World Tower Moscow and would housed in the heart of Moscow City development.

The Trump World Tower project would be destined to change the entire landscape of the real estate development in Moscow and with such globally recognized brand name as Trump it is likely for the project to steer the attention of international investors towards Moscow as well as act as a symbol of stronger economic, business and cultural relationships between New York and Moscow and therefore United States and the Russian Federation.

Trump organization is looking forward to furthering the development of this exciting project with Global Prospect and to engaging in a close dialogue with you and your administration in order to better understand your future plans on development of the Russian capital.

To this end, we would like to invite you and your team to visit us in New York City in the nears future and to plan for Trump organization to visit Moscow in order to have a first hand look at the location of the Trump World Tower Project. "

Respectfully
Giorgi Rtskhiladze
President

The Toroil Group
Green Wind Energy Group
555 Madison Ave
5th Floor, New York, NY
10012
D. [REDACTED]

This e-mail message, and any attachments to it, are for the sole use of the intended recipients, and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution of this email message or its attachments is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the company. Finally, while the company uses virus protection, the recipient should check this email and any attachments for the presence of viruses. The company accepts no liability for any damage caused by any virus transmitted by this email.

On Sep 24, 2015, at 12:47 PM, Michael Cohen <mcohen@trumporg.com> wrote:

I need it translated

Sent from my iPhone

Michael D. Cohen
Executive Vice President and
Special Counsel to
Donald J. Trump
725 Fifth Avenue
New York, New York 10022
Phone: [REDACTED]
Cellular: [REDACTED]
mcohen@trumporg.com

On Sep 24, 2015, at 12:47 PM, Giorgi Rtskhiladze [REDACTED] wrote:

Will explain all at 3

Respectfully
Giorgi Rtskhiladze
President

The Toroil Group
Green Wind Energy Group
555 Madison Ave
5th Floor, New York, NY
10012
D. [REDACTED]

This e-mail message, and any attachments to it, are for the sole use of the intended recipients, and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution of this email message or its attachments is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the company. Finally, while the company uses virus protection, the recipient should check this email and any attachments for the presence of viruses. The company accepts no liability for any damage caused by any virus transmitted by this email.

On Sep 24, 2015, at 12:40 PM, Michael Cohen <mcohen@trumporg.com> wrote:

What is this?

Sent from my iPhone

Michael D. Cohen

Executive Vice President and
Special Counsel to
Donald J. Trump
725 Fifth Avenue
New York, New York 10022
Phone: [REDACTED]
Cellular: [REDACTED]
mcohen@trumporg.com

On Sep 24, 2015, at 12:38 PM, Giorgi Rtskhiladze
[REDACTED] wrote:

Letter to the Mayor of Moscow from Trump org.
Can you translate or you need me to have it
translated? We need to send this letter to the Mayor
of Moscow (second guy in Russia) he is aware of
the potential project and will pledge his support
which means that the only spot remaining in
Moscow citi will be dedicated to Trump tower and
financed. Talk at 3.

<Дональд Трамп.doc>

Respectfully
Giorgi Rtskhiladze
President

The Toroil Group
Green Wind Energy Group
555 Madison Ave
5th Floor, New York, NY
10012
D. [REDACTED]

This e-mail message, and any attachments to it, are
for the sole use of the intended recipients, and may
contain confidential and privileged
information. Any unauthorized review, use,
disclosure or distribution of this email message or
its attachments is prohibited. If you are not the
intended recipient, please contact the sender by
reply email and destroy all copies of the original
message. Please note that any views or opinions
presented in this email are solely those of the author
and do not necessarily represent those of the
company. Finally, while the company uses virus
protection, the recipient should check this email and
any attachments for the presence of viruses. The

Majority Exhibit 4

HPSCI – Michael Cohen
(Feb. 28, 2019)

Message

From: Georgiy Rukhiladze [REDACTED]
Sent: 9/27/2015 5:02:26 PM
To: Michael Cohen [/O=TRUMP ORG/OU=First Administrative Group/cn=Recipients/cn=mcohen]
Subject: Re: Trump Tower Moscow_2015-09-23.pdf



Mike- as discussed here's general info for the proposed TS:

Company name:
Global Development Group LLC a Russian company
Majority shareholder; Michail Posikhin (the principal developer and co-architect of the tallest building in EU Mercury tower in Moscow city
https://en.m.wikipedia.org/wiki/Mercury_City_Tower
Simon Nizharadze (I sent you photo of him with Trump) and myself.

Company Address:
25 Bolshaya Gruzinskaya Ulitsa
Moscow, Russian Federation 101-129

Projects:
Trump residential building (I'll have the project presentation for you on Tue) and Trump World tower (your project concept which is being shared with the presidents cabinet and Moscow mayor) both projects being located in Moscow City development and developed in direct collaboration with the Moscow Mayors office.

Let's get the term sheet going.

Cheers. GR

Sent from my iPhone

> On Sep 23, 2015, at 11:46 AM, Michael Cohen <mcohen@trumporg.com> wrote:

>
>

> This e-mail message, and any attachments to it, are for the sole use of the intended recipients, and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution of this email message or its attachments is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the company. Finally, while the company uses virus protection, the recipient should check this email and any attachments for the presence of viruses. The company accepts no liability for any damage caused by any virus transmitted by this email.

> <Trump Tower Moscow_2015-09-23.pdf>

>
>

> Sent from my iPhone

> Michael D. Cohen
> Executive Vice President and
> Special Counsel to
> Donald J. Trump
> 725 Fifth Avenue
> New York, New York 10022
> Phone: [REDACTED]
> Cellular: [REDACTED]
> mcohen@trumporg.com

>

entered
1:26 pm
by
Nicolas
Mitchell



entered
3:51 pm
by
Daniel Goldman

Majority Exhibit 44

HPSCI – Michael Cohen
(Feb. 28, 2019)

STATEMENT OF MICHAEL D. COHEN, ESQ.

Today, August 28, 2017, my legal counsel, Stephen M. Ryan of McDermott Will & Emery LLP, produced documents to the House Permanent Select Committee on Intelligence (the “Committee”) on my behalf. Certain documents in the production reference a proposal for “Trump Tower Moscow,” which contemplated a private real estate development in Russia. The proposal was similar to other ideas for real estate projects contemplated years before any campaign. I am writing to provide the Committee with additional information regarding the proposal.

As background, other U.S. hotel chains and brands had already opened in Moscow, including Hyatt Hotels Corporation, Marriott International, Inc., and the Ritz-Carlton Hotel Company. Similarly, the Trump Organization had foreign hotels, as well as golf and land projects, in Canada, India, Indonesia, Ireland, Panama, Philippines, Scotland, South Korea, Turkey, the UAE and Uruguay. During my ten years with the Trump Organization, the company received countless proposals for licensing deals and real estate ventures in locations across the globe.

In or around September 2015, I received a proposal for the construction of a luxury hotel, office, and residential condominium building in Moscow, Russia. I performed some initial due diligence to assess whether the “Trump Tower Moscow” proposal aligned with the Trump Organization’s strategic business interests. Based on my preliminary assessment of the proposal, the licensee would be required to find and present an appropriate parcel of land that could be obtained and developed with all necessary government permits and permissions. In addition, the licensee would be responsible for all development costs and financing of the land and building. The Trump Organization would license the “Trump” brand name to a qualified Moscow-based real estate development company for the purpose of identifying, promoting, and marketing the building. The proposal was under consideration at the Trump Organization from September 2015 until the end of January 2016. By the end of January 2016, I determined that the proposal was not feasible for a variety of business reasons and should not be pursued further. Based on my business determinations, the Trump Organization abandoned the proposal.

I worked on the proposal within my capacity as Executive Vice President and Special Counsel to the Trump Organization. I performed a dual role in evaluating the proposal and provided both legal and business advice. I primarily communicated with the Moscow-based development company, I.C. Expert Investment Company (“Expert Investment”), through a U.S. citizen third-party intermediary, Mr. Felix Sater.

Mr. Sater was formerly an executive at a company called Bayrock Group and was involved in the deal for the Trump SoHo New York Hotel, which broke ground in 2007. Mr. Sater claimed to have appropriate relationships within the business community in Russia in order to obtain the real estate, financing, government permits, and other items necessary for such a development. The Trump Organization did not employ Mr. Sater in connection with the Trump Tower Moscow proposal, nor did the Trump Organization compensate Mr. Sater for his involvement in the proposal. Mr. Sater acted as a deal broker and would have been compensated by the licensee if the proposal had been successful. I have known Mr. Sater for several decades and I routinely

handled communications with him regarding the proposal. Mr. Sater, on occasion, made claims about aspects of the proposal, as well as his ability to bring the proposal to fruition. Over the course of my business dealings with Mr. Sater, he has sometimes used colorful language and has been prone to "salesmanship." As a result, I did not feel that it was necessary to routinely apprise others within the Trump Organization of communications that Mr. Sater sent only to me. Mr. Sater constantly asked me to travel to Moscow as part of his efforts to push forward the discussion of the proposal. I ultimately determined that the proposal was not feasible and never agreed to make a trip to Russia. Consequently, I did not travel to Russia for this proposal (nor did any other representative of the Trump Organization to the best of my knowledge) and I have never traveled to Russia. Despite overtures by Mr. Sater, I never considered asking Mr. Trump to travel to Russia in connection with this proposal. I told Mr. Sater that Mr. Trump would not travel to Russia unless there was a definitive agreement in place. To the best of my knowledge, Mr. Trump was never in contact with anyone about this proposal other than me on three occasions, including signing a non-binding letter of intent in 2015.

On or around October 28, 2015, Trump Acquisition, LLC executed a non-binding letter of intent ("LOI") with Expert Investment, memorializing the parties' "intention to negotiate for and attempt to enter into a mutually acceptable agreement covering all aspects of the transaction." The parties expressly agreed that, "unless and until a License Agreement between the Parties has been executed and delivered, . . . no party shall be under any legal obligation of any kind whatsoever to consummate a transaction hereby by virtue of this LOI." Following execution of the non-binding LOI, we began more detailed work and analysis regarding various aspects of the proposal. For example, we solicited building designs from different architects and engaged in preliminary discussions regarding potential financing for the proposal. In mid-January 2016, Mr. Sater suggested that I send an email to Mr. Dmitry Peskov, the Press Secretary for the President of Russia, since the proposal would require approvals within the Russian government that had not been issued. Those permissions were never provided. I decided to abandon the proposal less than two weeks later for business reasons and do not recall any response to my email, nor any other contacts by me with Mr. Peskov or other Russian government officials about the proposal. The proposal never advanced beyond the non-binding LOI. I did not ask or brief Mr. Trump, or any of his family, before I made the decision to terminate further work on the proposal.

The Trump Tower Moscow proposal was not related in any way to Mr. Trump's presidential campaign. The decision to pursue the proposal initially, and later to abandon it, was unrelated to the Donald J. Trump for President Campaign. Both I and the Trump Organization were evaluating this proposal and many others from solely a business standpoint, and rejected going forward on that basis.