

# IMPEACHABLE ACTS: WHAT GOP SPIN CAN'T CHANGE

[NB: note the byline, thanks. /~Rayne]

I wrote this in comments but in hindsight it should be shared as a post.

Nothing the GOP has said about the impeachment hearing witnesses, their testimony, the rules and circumstances, can change these facts.

Though this isn't the word-for-word transcription of the July 25 call between Trump and Ukraine's President Zelensky, the content not omitted or redacted in the published telephone conference memo is damning enough:

bigger partner than the European Union and I'm very grateful to you for that because the United States is doing quite a lot for Ukraine. Much more than the European Union especially when we are talking about sanctions against the Russian Federation. I would also like to thank you for your great support in the area of defense. We are ready to continue to cooperate for the next steps specifically we are almost ready to buy more Javelins from the United States for defense purposes.

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~~(S//NF)~~ The President: I would like you to do us a favor though because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine, they say CrowdStrike... I guess you have one of your wealthy people... The server, they say Ukraine has it. There are a lot of things that went on, the

The GOP wants the public to forget that Trump asked for a favor.

The GOP wants people to forget that 18 USC 201 Bribery says no public official may demand or ask for anything of value for personal use, and Trump specifically mentions Biden during the call, making this about his personal re-election campaign.

The GOP wants people to forget that 52 USC 30121 Contributions (campaign finance) says no candidate may solicit anything of value from a

foreign national.

The GOP wants people to forget Trump used his office for the purposes of campaign work – while not a Hatch Act violation, certainly an abuse of office.

The GOP wants people to forget that Trump removed former ambassador Marie Yovanovitch after assassinating her character – not merely removing her at his discretion as executive, but an unlawful retaliatory firing – also implying during the July 25 call that she would be harassed or persecuted in some way even though she had already been recalled from her position as Ambassador to Ukraine.

(S/NP) President Zelenskyy: I wanted to tell you about the prosecutor. First of all I understand and I'm knowledgeable about the situation. Since we have won the absolute majority in our Parliament, the next prosecutor general will be 100% my person, my candidate, who will be approved by the parliament and will start as a new prosecutor in September. He or she will look into the situation, specifically to the company that you mentioned in this issue. The issue of the investigation of the case is actually the issue of making sure to restore the honesty so we will take care of that and will work on the investigation of the case. On top of that, I would kindly ask you if you have any additional information that you can provide to us, it would be very helpful for the investigation to make sure that we administer justice in our country with regard to the Ambassador to the United States from Ukraine as far as I recall her name was Ivanovich. It was great that you were the first one who told me that she was a bad ambassador because I agree with you 100%. Her attitude towards me was far from the best as she admired the previous President and she was on his side. She would not accept me as a new President well enough.

(S/NP) The President: Well, she's going to go through some things. I will have Mr. Giuliani give you a call and I am also going to have Attorney General Barr call and we will get to the bottom of it. I'm sure you will figure it out. I heard the prosecutor was treated very badly and he was a very fair prosecutor so good luck with everything. Your economy is going to get better and better I predict. You have a lot of assets. It's a great country. I have many Ukrainian friends, their incredible people.

And the GOP wants want you to forget that Trump intimidated witnesses even as they testified before Congress, a violation of 18 USC 1512.

But facts are stubborn things and in this case, the facts before us are simple, straightforward, inescapable as presented during the hearings to date and in published government documents. Trump bribed Ukraine's Zelensky, violated campaign finance law, tampered with witnesses, and abused his office.

We don't even need to look at his extortion (18 USC 872) or weigh whether he committed Honest

Services Fraud (18 USC 1346), or his role in obstruction of proceedings (18 USC 1505) and contempt of Congress (2 USC 192 – preventing witnesses from testifying or withholding evidence), or conspiracy to defraud the United States by agreeing to commit any of the above acts with Rudy Giuliani and/or others (18 USC 371).

Republican lawmakers, aides and strategists surveyed by CNBC's John Harwood have uniformly treated Trump's bribery – asking for foreign interference in our presidential elections *again* – as an inconvenience, some annoyance which will blow over.

None of the elected Republicans so far have been willing to live up their oath of office to defend and protect the Constitution against enemies foreign and domestic. The only elected Republican to do so had to leave the GOP because he believed impeachment hearings were warranted.

Voters can't forget this at the polls: our democracy and the Constitution are inconveniences to the Republican Party.