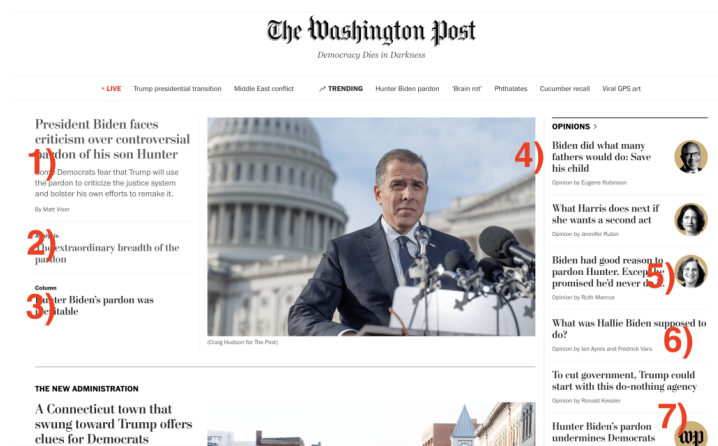


HOW JEFF BEZOS SMOTHERED PETE HEGSETH NEWS BECAUSE HUNTER BIDEN WAS PARDONED OF ALREADY DECLINED CHARGES

When I went to bed last night, the WaPo was feeding me the following stories at the top of its digital front page.



WaPo has since added a story about Biden's attempt to surge weapons to Ukraine before Trump cuts them off.

There was not and is not any story dedicated to Kash Patel's promises to target Trump's enemies at FBI – a story that not only is more urgent than any of the seven Hunter Biden pardon stories, but is fundamentally tied to the how and why of the Hunter Biden pardon.

There was not and is not any story on Jane Mayer's report about how Pete Hegseth,

was forced to step down by both of the two nonprofit advocacy groups that he ran—Veterans for Freedom and Concerned Veterans for America—in the face of serious allegations of financial

mismanagement, sexual impropriety, and personal misconduct.

Even as Hegseth made visits with the Senators whose vote he would need to be confirmed (definitely watch this video), the rag owned by defense contractor Jeff Bezos chose to litter its front page with seven stories and columns about Hunter Biden's pardon rather than report out that Hegseth has a history of failing to manage the budgets of even just two medium-sized non-profits.

And it's not just that Bezos' rag buried far more urgent news about Trump's nominees.

It's that (with the exception of this column explaining the risks and difficulty of seizing weapons from addicts) the Hunter Biden stories were not all that useful.

Will Lewis has again chosen to platform Matt Viser's dick pic sniffing about Joe Biden, this time trying to drive the controversy about the pardon; as far as I'm aware, Viser *still* has not disclosed to WaPo's readers that an error in his own reporting *caused* a false scandal about Hunter's art sales.

Viser's 1800-word post includes 22 words that address, with no specifics, Pam Bondi and Kash Patel's promise to persecute Trump's enemies: "His picks for attorney general, Pam Bondi, and for FBI director, Kash Patel, have urged retribution against Trump's political adversaries and critics." It does, however, float an inaccurate quote also included in this Aaron Blake piece (as well as these Betsy Woodruff and Ken Vogel stories), claiming that Hunter's pardon is broader than any since Nixon's pardon.

Former Pardon Attorney Margaret Love hates this pardon and she's not afraid to mislead reporters to criticize it, as when she told Woodruff that Nixon was the only precedent.

"I have never seen language like this in

a pardon document that purports to pardon offenses that have not apparently even been charged, with the exception of the Nixon pardon,” said Margaret Love, who served from 1990 to 1997 as the U.S. pardon attorney, a Justice Department position devoted to assisting the president on clemency issues.

“Even the broadest Trump pardons were specific as to what was being pardoned,” Love added.

Love’s claim conflicts with what she herself laid out to Politico, the very same outlet, when Mike Flynn was pardoned four years ago.

“Pardons are typically directed at specific convictions or at a minimum at specific charges,” said Margaret Love, former pardon attorney for Presidents George H.W. Bush and Bill Clinton, who now leads the Collateral Consequences Resource Center. “I can think of only one other pardon as broad as this one, extending as it does to conduct that has not yet been charged, and that is the one that President Ford granted to Richard Nixon.”

“In fact, **you might say that this pardon is even broader than the Nixon pardon**, which was strictly cabined by his time as president,” Love said. “In contrast, the pardon granted to Flynn appears to extend to conduct that took place prior to Trump’s election to the presidency, and to bear no relationship to his service to the president, before or after the election.” [my emphasis]

And I believe even then, Love misstated the intended scope of Flynn’s pardon.

Like Hunter’s pardon, Flynn’s pardon excused the crimes included in his charging documents (false statements, including false statements about

being an unregistered agent of Turkey). While Hunter's pardon specifically invoked the conduct in his Delaware and Los Angeles dockets, Flynn's pardon excused conduct reviewed in two jurisdictions, DC and EDVA. Like Hunter's pardon, which would cover the false statements referral from Congress, Flynn's pardon would have covered the contradictory sworn statements he made as he tried to renege on his plea deal. But Flynn's pardon also covered,

any and all possible offenses arising out of facts and circumstances known to, identified by, or in any manner related to the investigation of the Special Counsel,

This pardon attempted to excuse any crime based on a fact that once lived in Robert Mueller's brain or case files.

As I laid out here, that certainly would have covered referrals from Mueller elsewhere (including to DOD), it might have attempted to pardon crimes in process, if (for example) Flynn's relationship with Russia developed into something more in the future. Flynn's pardon, unlike Hunter's didn't have an end date, and as a result, if Congress wants to continue to harass Hunter about stuff he just accepted a pardon for, he'll have less protection than Trump intended Flynn to have.

And while Republicans might argue that Hunter's allegedly false claim to Congress – regarding how he cut Tony Bobulinski out of a deal with CEFC to protect his family's name – served to protect his father, even the most feverish Republican fantasies would amount to three Biden men profiting from a Chinese company after Biden left the Obama Administration and before he decided to run again. Flynn's conflicting claims about whether "The Boss is aware" of his conversations with Sergey Kislyak, including regarding undermining sanctions, served to protect Trump's actions as incoming President. (Another thing WaPo decided was less important

than seven pieces about Hunter's pardon was that Chinese national Justin Sun, who has been charged with fraud by the SEC, just sent Donald Trump \$18 million.) That is, you can measure the pardon in terms of familial closeness to the President granting it (none of these stories mention Charles Kushner, much less his nomination to be Ambassador to France); you can also measure the pardon in terms of the silence or lies about the guy giving the pardon it buys. And any one of about ten pardons from Trump, including the Flynn one, were far more corrupt by that measure.

But here's the other reason why Blake's piece, one of the seven pieces littering the front page instead of stories about Kash Patel or Hegseth's unfitness, is not useful. Here's how Blake introduces the scope of Hunter's pardon.

Biden didn't just pardon his son for his convictions on tax and gun charges, but for any "offenses against the United States which he has committed or may have committed or taken part in during the period from January 1, 2014, through December 1, 2024."

That's a nearly 11-year period during which any federal crime Hunter Biden might have committed – and there are none we are aware of beyond what has already been adjudicated – can't be prosecuted. It notably covers when he was appointed to the board of the Ukrainian energy company Burisma in 2014 all the way through Sunday, well after the crimes for which he was prosecuted.

Hunter Biden hasn't been charged for his activities with regard to Burisma or anything beyond his convictions, and nothing in the public record suggests criminal charges could be around the bend. Congressional Republicans have probed the Burisma matter and Hunter Biden extensively and could seemingly have uncovered chargeable crimes if they

existed, but haven't done so.

Blake glosses over a great deal with his reference to things that have “already been adjudicated,” and in doing so, ignores the problem. Yes, both prosecutors and Republicans in Congress looked long and hard for something to hang a Burisma charge onto; yes, none of them found it. But – here’s the important bit – they still want to pursue one anyway.

The investigation into Hunter Biden started six years ago, based off a Suspicious Activity Report tied to a payment to a sex worker. Investigators tried to turn that into a criminal investigation based on the same Burisma focus that Rudy Giuliani was chasing; in fact, investigators first got data from Apple on the day Trump released the Perfect Phone Call, a transcript that may or may not have expunged a specific reference to Burisma. According to Joseph Ziegler, his supervisor at the time documented the problem of chasing a tax investigation that tracked Trump’s public demands for dirt on the Bidens related to Burisma.

You can actually trace how investigators cycled through one or another potential FARA violation – Burisma, Romania, CEFC – each time, with even the disgruntled IRS agents conceding they couldn’t substantiate those FARA cases (not least because Hunter was pretty diligent about not doing influence peddling himself, at bringing in others to do any of that kind of lobbying). Tips from Gal Luft – awaiting extradition on foreign agent charges – and Alexander Smirnov – awaiting trial on false statements – were key elements of that investigation.

But we know that in the precise period when someone was leaking to try to pressure prosecutors to bring certain charges, David Weiss had decided not to charge 2014 and 2015. Here’s how Gary Shapley wrote up the October 7, 2022 meeting that set him off.

+ Not going to charge 14/15
 ② RSB reports the income - Arthur pay taxes in a part of
 ③ 2015 - Arthur pays some tax
 - Sim also pays taxes in same income } confusion
 ④ [REDACTED]
 +
 +
 ⑤ May 2015 Ben dies
 ⑥ Venue - have to go to D.C. 14/15/16

In 2022, David Weiss told Shapley he would not charge 2014 and 2015, which is one thing that led Shapley to start reaching out to Congress to complain.

Prosecutors included more detail in Hunter's tax indictment.

a. The Defendant timely filed, after requesting an extension, his 2014 individual income tax return on IRS Form 1040 on October 9, 2015. The Defendant reported owing \$239,076 in taxes, and having already paid \$246,996 to the IRS, the Defendant claimed he was entitled to a refund of \$7,920. The Defendant did not report his income from Burisma on his 2014 Form 1040. All the money the Defendant received from Burisma in 2014 went to a company, hereafter "ABC", and was deposited into its bank account. ABC and its bank account were owned and controlled by a business partner of the Defendant's, Business Associate 5. Business Associate 5 was also a member of Burisma's Board of Directors. The Defendant received transfers of funds from the ABC bank account and funds from the ABC bank account were used to make investments on the Defendant's behalf. Because he owned ABC, Business Associate 5 paid taxes on income that he and the Defendant received from Burisma. Starting in November 2015, the Defendant directed his Burisma Board fees to an Owasco, PC bank account that he controlled.

One reason Hunter wasn't charged for 2014 and 2015 is because Devon Archer was paying taxes in that period.

But the point is (as reflected in Blake's note this was all adjudicated), *a prosecutor made that decision*. And Republicans in Congress and, specifically, Kash Patel, squealed about the injustice of not charging Hunter because the evidence didn't merit charges.

This decision and the backlash with those dissatisfied by it dictates the lengthy period of Hunter's pardon. Not just because they want to charge Burisma whether or not there's evidence of a crime. But because the five year statute of limitations for FARA and the six year SOL on tax crimes, to charge anything related to Burisma, they'd have to apply crimes – like Espionage or certain kinds of Wire Fraud – that have ten year statutes of limitation.

Kash Patel and Republicans in Congress have already said they want to charge Hunter Biden regardless of whether there's evidence to do so. When David Weiss first offered a plea deal, Trump posted that Hunter should instead have gotten a death sentence.

These people have made it clear they want to prosecute Hunter regardless of what the evidence supports. They have said that over and over. That's what dictates the pardon, not any corruption by Biden. And to flip that on its head – to flip Trump and Kash Patel's demand for prosecutions regardless of evidence – on its head is to cooperate in Trump's assault on rule of law.

This is a point reflected by experts quoted in Vogel's piece (and expanded by Kim Wehle in her own post).

Mr. Morison, who worked for years in the Office of the Pardon Attorney before going into private practice, added that the Bidens may have seen risk in crafting the pardon grant more narrowly.

"I assume that Hunter's lawyers were worried that an especially vindictive Trump DOJ would have looked for something to charge him with if they were too specific, so they asked for a blanket pardon, subject only to a fairly broad date range," he wrote in an email.

Kimberly Wehle, a law professor at the University of Baltimore, predicted that if Mr. Trump's Justice Department were to charge Hunter Biden, he would raise the pardon in a motion to dismiss the case.

Ms. Wehle, the author of a recent book detailing how the lack of constraints on presidential clemency powers invite abuse, said in an email that it was Mr. Trump – not President Biden – who initiated "the norm-violating behavior" by pledging to use the Justice Department to prosecute his enemies.

"This is not a corrupt pardon," she said in an email. "It's about taking care of a family member knowing what Trump will do otherwise."

The reason you have to pardon broadly is because Trump has demanded an outcome divorced from evidence. And to get to his desired outcome, he would have to do something expansive, something that could not be foreseen by the scope of the existing investigation that (as Blake notes) has already been adjudicated.

You can tell this story about how broad the pardon is – structured very similarly to the Mike Flynn one.

But if you leave out the story of how this investigation *from the start* paralleled Trump's extra-legal effort to gin up dirt on Joe Biden's son, if you leave out the fact that even in his first term, Trump's DOJ solicited information from at least one Russian spy and a Chinese agent to pursue dirt on Hunter Biden, then you

are flipping the matter of justice on its head. That's what Trump did *already*, in his desperation to find something to hang on Hunter Biden. And particularly given his picks of Bondi and Patel (the latter of whom played a role in extorting a foreign country for such dirt, too), there's no telling what Trump will do in a second term.

That's what dictates the terms of this pardon. A prosecutor issued a declination for charges related to 2014 and 2015, and almost the entire Republican party said, we're going to find something anyway. And if you hide that detail, you're burying the most crucial information, just like you're burying detrimental information about Hegseth and Patel below a seventh post on Hunter Biden.

This is what a captive oligarch press looks like: Burying detrimental information on the guy who might oversee Jeff Bezos' defense contracts, while hiding the reasons why the Hunter Biden pardon looks like it does.