

THE CONFLICT BETWEEN THE GOP'S "HEARSAY" AND "WHISTLEBLOWER" DEFENSES

Sometimes Byron York is useful because he clarifies just how stupid and contradictory right wing talking points are.

Today, he claims that, for both the Russian investigation and impeachment, Democrats don't want anyone to know how the investigation started.

Should the whistleblower have connections to prominent Democrats, exposure of his identity could be embarrassing to the party. And perhaps most of all, reading through the impeachment inquiry depositions that have been released so far, it's clear that cutting off questions that could possibly relate to the whistleblower has also allowed Democrats to shut off any look at how the Trump-Ukraine investigation started. Who was involved? What actions did they take? **Why did some government employees think President Trump's July 25 call to Ukrainian President Volodymyr Zelensky represented a lost opportunity, or poor judgment, while others thought it represented wrongdoing requiring congressional investigation?**

Democrats do not want the public to know. And in that, their position is familiar to anyone who has watched Washington for the last two years: The Democrats' determination to cut off questions about the origins of the Trump-Ukraine investigation is strikingly similar to their determination to cut off questions about

the origins of the Trump-Russia investigation. In both cases, they fought hard to keep secret the origins of investigations that have shaken the nation, deeply divided the electorate, and affected the future of the presidency.

Regarding the Russian investigation, Byron (like most denialists) can't seem to get his head around the fact that a crime happened – a hostile foreign government hacked political targets – and the FBI started to investigate. They honestly appear to believe the FBI should not investigate hacks, generally, or maybe just not those attributed in real time to hostile foreign actors.

But the claim is even stupider with regards to the impeachment inquiry for reasons laid out right there in the middle of his argument.

It's not the whistleblower who responded to the July 25 call with shaking anger. It's not the whistleblower who recognized it was so incriminating, the call record had to be censored and hidden on a Top Secret server.

The people who started the investigation that led to impeachment were all on the July 25 call. Republicans suspect that Alexander Vindman was one of them; they suspect that he was the person who went, "visibly shaken," and shared details about a 'crazy,' 'frightening' and 'completely lacking in substance related to national security'" call with a colleague who then wrote up his concerns rather than just sharing them with John Eisenberg, who was finding several ways to bury the damning report. But the whistleblower complaint itself describes that "multiple White House officials with direct knowledge of the call" shared their impression of it with the whistleblower. We know, for example, that Mike Pence aide Jennifer Williams agreed with Vindman.

Even Tim Morrison, a fire-breathing Republican

who claims he doesn't think Trump committed a crime, recognized the call was problematic.

Mike Pompeo, the Secretary of State, responded to publicity about the call by lying about being on it, then refusing to testify about it, which isn't exactly a sign that he thinks it's a "perfect" call.

This investigation could not have been "started" by the whistleblower, contrary to what dullards like Byron claim, for the same reason they complain that George Kent and Bill Taylor and Marie Yovanovtich weren't appropriate witnesses because they weren't on that call. That's because the whistleblower wasn't on the call. Someone – multiple people, as it turned out – had to share details of the call with him before he put all the other dots together in his complaint.

Mind you, the claim of hearsay is false, as all the witnesses have direct knowledge of the wider operation to extort Ukraine. In the case of the whistleblower, for example, Republicans continue to falsely claim he had *no* direct knowledge of these matters; his description of the July 18 call where OMB announced a hold on aid is not cited to other people.

Still, it's the larger point that Byron helpfully demonstrates is so stupid. It cannot be true that we need to learn about the whistleblower to understand how all this started and also be true that the whistleblower's view is meaningless because he was operating exclusively from hearsay. The claim itself underscores that multiple people on the call itself objected when they heard the president extort a foreign leader.

But something more basic is true: This investigation started because the president extorted a foreign leader while a dozen witnesses were listening.