

“THE LAPTOP” IS THE FUNCTIONAL EQUIVALENT OF THE STEELE DOSSIER, 1: RUDY IS THE REAL SCANDAL

I’m going to explain how The Laptop that Rudy Giuliani floated just before the election is the functional equivalent of the Steele dossier.

Before I do, let me make a fairly obvious (if counterintuitive) point: Of the three people that powerful Ukrainians attempted to cultivate for their ties to the Vice President or President – Paul Manafort, Hunter Biden, and Rudy Giuliani – just one provably affected US policy through the Vice President or President: Rudy.

Contrary to what you may have read, for example, Manafort actually *wasn’t* the one who prevented the GOP platform from being strengthened to support Ukraine, JD Gordon was (though Trump’s do-not-remember answer about his own involvement can’t rule that out). Mueller’s decision not to prosecute Gordon as an agent of Russia was only recently made public (thanks to the relentless work of Jason Leopold and his lawyer).

And while there’s a lot of circumstantial evidence that Manafort entered into a quid pro quo on August 2, 2016, trading campaign strategy for a commitment to help carve up Ukraine to Russia’s liking along with \$19 million a financial benefit for Manafort personally, because the investigation into Manafort became public in 2016, his ongoing efforts to push that Russian plan to dismember Ukraine never (as far as has been made public) had the involvement of Trump. It’s possible Trump was involved or Manafort got certain commitments in 2016, but Manafort’s own cover-up prevented DOJ from

determining whether or not that was true.

According to the NYT story that has renewed the frenzy around the laptop Rudy Giuliani released just before the election, Federal prosecutors still haven't determined whether Hunter Biden's treatment of Chinese, Kazakh, and Ukrainian influence efforts amounted to a crime. But they do have evidence that Hunter Biden tried to be explicit that he could not influence his father to help Burisma.

In one email to Mr. Archer in April 2014, Mr. Biden outlined his vision for working with Burisma. In the email, Hunter Biden indicated that the forthcoming announcement of a trip to Ukraine by Vice President Biden – who is referred to in the email as “my guy,” but not by name – should “be characterized as part of our advice and thinking – but what he will say and do is out of our hands.”

The announcement “could be a really good thing or it could end up creating too great an expectation. We need to temper expectations regarding that visit,” Hunter Biden wrote.

Vice President Biden traveled to Kyiv, the Ukrainian capital, about a week after the email.

In the same April 2014 email, Hunter Biden indicated that Burisma's officials “need to know in no uncertain terms that we will not and cannot intervene directly with domestic policymakers, and that we need to abide by FARA and any other U.S. laws in the strictest sense across the board.”

He suggested enlisting the law firm where he worked at the time, Boies Schiller Flexner, to help Burisma through “direct discussions at state, energy and NSC,” referring to two cabinet departments and the National

Security Council at the White House.

The firm “can devise a media plan and arrange for legal protections and mitigate U.S. domestic negative press regarding the current leadership if need be,” Mr. Biden wrote in the email.

And sworn testimony from experts in both parties say Hunter did not dissuade his father from taking steps to crack down on corruption.

Of these three well-connected Americans being cultivated by powerful and corrupt Ukrainians – some but not all of them known Russian agents – only Rudy Giuliani is known to have had a direct effect on policy. Among other things, Rudy got Marie Yovanovitch fired. In only Rudy’s case, then, do we have clearcut proof that a Ukrainian influence operation had the desired effect of changing American policy. Though even there, it’s not yet clear whether Rudy’s unregistered influence peddling was criminal.

(Obviously, Manafort pled guilty to being an unregistered Ukrainian agent during the earlier period, and he got paid orders of magnitude more than Hunter Biden did, too.)

So as we fight about The Laptop again, based on a reference to verified emails in a NYT article bylined by serial Rudy mouthpiece Ken Vogel, the first thing we should keep in mind is that there’s far more evidence that Rudy Giuliani successfully influenced the President or Vice President as a secret agent of Ukraine than Hunter Biden.