

Fact-checking President Trump's impeachment letter to Pelosi

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By Glenn Kessler

This letter will add a couple dozen new entries to our database, but here are some of the lowlights.

"The Articles of Impeachment introduced by the House Judiciary Committee are not recognizable under any standard of Constitutional theory, interpretation, or jurisprudence. They include no crimes, no misdemeanors, and no offenses whatsoever. You have cheapened the importance of the very ugly word, impeachment!"

AD

There's nothing in the Constitution that says an impeachment needs to be a specific crime.

"Fortunately, there was a transcript of the conversation taken, and you know from the transcript (which was immediately made available) that the paragraph in question was perfect."

Trump only released the rough transcript after Democrats announced they would launch a possible impeachment inquiry. Many outside experts say that Trump's July 25 call with Ukrainian President Volodymyr Zelensky was highly unusual. Trump appeared to have no agenda except to ask for the Ukrainian government to work with his private attorney to investigate a potential 2020 presidential rival and also investigate debunked conspiracy theories about possible interference by Ukraine in the 2016 election. Trump made about eight requests for help with some sort of investigation involving either former vice president Joe Biden or the Democrats.

AD

Before the call took place, Trump with no explanation halted the expected delivery of military aid. Some U.S. diplomats believed the halt was connected to the president's demands for a probe of Biden, text messages released by Congress show. Moreover, The Washington Post reported that at least four national security officials were so alarmed by Trump's ongoing pressure campaign on Ukraine that they lodged objections with a White House lawyer before and right after the call.

"I said to President Zelensky: '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.'"

There is no evidence that Ukraine had any role in the 2016 election interference that intelligence agencies concluded was directed from the highest levels of the Russian government. After making this comment in the call, Trump referenced a debunked theory that CrowdStrike, the Californian company that revealed the hack of the Democratic National Committee, was Ukrainian, to the apparent confusion of Zelensky.

AD

“I said do us a favor, not me, and our country, not a campaign.”

Weeks after the rough transcript of the July 25 call with the Ukrainian president was released, Trump began claiming that when he said “do us a favor” in the call, the word “us” referred to the United States, not himself, the administration or his campaign. This is an ex post facto explanation that strains credulity. He repeatedly requested that Ukrainian officials meet with his personal lawyer Rudolph W. Giuliani.

“You know full well that Vice President Biden used his office and \$1 billion dollars of U.S. aid money to coerce Ukraine into firing the prosecutor who was digging into the company paying his son millions of dollars.”

This sentence is a fountain of falsehoods.

Trump falsely accuses former vice president Joe Biden of something he did not do. The Ukrainian prosecutor general’s office had opened an investigation into the Ukrainian oligarch Mykola Zlochevsky, who owned Burisma Holdings, a natural gas company; Hunter Biden, a lawyer and businessman, joined Burisma’s board in April 2014 and left in 2019.

AD

The prosecutor general, Viktor Shokin, let that investigation and others go dormant, and the United States and its allies decided he was not effective in his job and in fact let corruption flourish. Biden traveled to Ukraine in December 2015 and said the United States would withhold \$1 billion in loan guarantees unless Shokin was removed; it was not a demand to stop the Burisma prosecution, and there’s no evidence of Shokin’s “digging” into Burisma — nor is there any evidence Hunter Biden was ever under investigation.

(Trump incorrectly claims \$1 billion in U.S. aid money was at stake, but note that it was just a loan guarantee.)

The vice president’s trip was part of a longer push by the United States, Western allies and nongovernmental organizations such as the International Monetary Fund and World Bank. The goal was to promote reform in Ukraine and remove a prosecutor who allegedly was turning a blind eye to corruption. The U.S. plan to push for Shokin’s dismissal didn’t initially come from Biden but rather filtered up from officials at the State Department. Shokin was

eventually removed by parliament. The prosecutor general of Ukraine in early 2019, Yuriy Lutsenko, was quoted as saying “he had no evidence of wrongdoing by U.S. Democratic presidential candidate Joe Biden or his son.”

AD

Hunter Biden did earn substantial sums from Burisma over six years that could have totaled “millions.”

“Even Joe Biden admitted just days ago in an interview with NPR that it ‘looked bad.’”

Trump suggests that Biden said his successful efforts to oust the prosecutor looked bad. Trump is mischaracterizing an interview with NPR, in which Biden is quoting his son talking about being on Burisma’s board.

“The matter is, my son testified and did an interview saying if he, looking back on it, made a mistake, he made a mistake although he did nothing wrong,” Biden said. “The appearance looked bad and it gave folks like Rudy Giuliani an excuse to come up with a Trumpian kind of defense, why they were violating the Constitution. His, his words speak for themselves.”

“President Zelensky has repeatedly declared that I did nothing wrong.”

AD

This isn’t true. Zelensky has tried hard not to get in the middle of U.S. political fight and faces a dilemma in discussing what he thought about the call. He does not want to get on Trump’s bad side — and he does not want to appear weak back home.

Trump’s “nothing wrong” language echoes misleading tweets he made about an interview that Ukrainian President Volodymyr Zelensky had with Time magazine. Nowhere in the interview did Zelensky say that his American counterpart did “nothing wrong.” In fact, he criticized Trump’s comments about corruption in Ukraine and his decision to suspend military aid to Kyiv.

Zelensky also questioned Trump’s decision to freeze military aid, casting it as a matter of “fairness.” Here are Zelensky’s full comments on a potential quid pro quo: “I never talked to the President from the position of a quid pro quo. That’s not my thing. ... I don’t want us to look like beggars. But you have to understand. We’re at war. If you’re our strategic partner, then you can’t go blocking anything for us. I think that’s just about fairness. It’s not about a quid pro quo. It just goes without saying.”

AD

“Ambassador Sondland testified that I told him: ‘No quid pro quo. I want nothing. I want nothing. I want President Zelensky to do the right thing, do what he ran on.’”

Trump has misleadingly seized on a small part of the damaging impeachment inquiry testimony of Gordon Sondland, a Trump donor and the U.S. ambassador to the European Union. Sondland testified that the White House declined to invite Zelensky to meet with Trump in Washington as a means of pressuring Zelensky to announce the investigations Trump wanted into Joe Biden. "I know that members of this committee frequently frame these complicated issues in the form of a simple question: Was there a 'quid pro quo?'" Sondland said. "With regard to the requested White House call and the White House meeting, the answer is yes."

Sondland said he later came to believe that \$400 million of military aid to Ukraine was also contingent on an announcement of the investigations. But Trump is quoting from a phone conversation that Sondland said he had with Trump on Sept. 9, after Congress announced an investigation into the holdup of aid to Ukraine. Sondland testified that he did not know whether Trump was telling the truth, at least about the funding portion of the quid pro quo.

AD

"Your chosen candidate lost the election in 2016, in an Electoral College landslide (306-227)."

This is an old favorite line from Trump's rallies, but as always he gets two things wrong — that he won a landslide and the electoral college math.

Trump earned 306 pledged electors, Hillary Clinton 232. But after defections by some electors, the final tally was 304 votes for Trump and to 227 votes for Clinton.

But Clinton won the popular vote by nearly 3 million. If 40,000 votes had switched in three states, Trump would have also lost the electoral college. So it was no landslide.

According to a tally by John Pitney of Claremont McKenna College, every Republican president since Rutherford B. Hayes in 1876 won a larger share of the electoral college votes than Trump, with the exception of George W. Bush (twice) and Nixon in 1968.

"Congressman Adam Schiff cheated and lied all the way up to the present day, even going so far as to fraudulently make up, out of thin air, my conversation with President Zelensky of Ukraine and read this fantasy language to Congress as though it were said by me."

As of Dec. 10, Trump 62 times has railed about a relatively minor event as if it were a serious crime. Rep. Adam Schiff (D-Calif.) summarized the content of Trump's July 25 call with Zelensky at a congressional hearing, occasionally for dramatic effect (or what Schiff called a parody). There is no exact transcript of the conversation, as the summary was cobbled together from notes, so Schiff told the audience that "this is the essence of what the president communicates."

Much of what Schiff said tracks the basic contents of the call but he went too far to claim Trump had asked Zelensky to “make up” or “manufacture” dirt; Trump simply asked for an investigation of a potential 2020 rival.

“The so-called whistleblower who started this entire hoax with a false report of the phone call that bears no relationship to the actual phone call that was made.”

The whistleblower report is correct on key details about the call between Trump and the Ukrainian president, according to the rough transcript released by the White House. Other details in the whistleblower complaint have been largely confirmed, according to a line-by-line examination by The Fact Checker. Yet Trump more than 60 times has falsely insisted the report was inaccurate.

Trump’s letter also contains exaggerated or false claims that Trump constantly makes about his achievements or the Russia probe. Here’s a brief summary.

- **“Seven million new jobs created”**: Trump always counts from the election, giving himself credit for three months of jobs under Obama. It’s nearly 6.6 million since he took office.
- **“A completely reformed VA with Choice and Accountability for our great veterans”**: the laws passed under Trump built on laws passed earlier, especially a VA Choice law signed by Obama.
- **“Historic tax and regulation cuts”**: Trump’s tax cuts rank sixth in the last 100 years when measured as a percentage of gross domestic product. His regulation cuts are large, but aren’t historic compared with the deregulation in the Carter years.
- **“The first decline in prescription drug prices in half a century”**: Trump overstates what happened to the consumer price index for prescription drugs. It fell by 0.6 percent for the 12 months ending December 2018, and then kept dropping for a period of months but more recently has increased. The Bureau of Labor Statistics says there are other 12-month periods with index declines, including one as recently as 2013.
- **“The replacement of the disastrous NAFTA trade deal with the wonderful USMCA”**: Trump keeps claiming that he significantly overhauled the North American Free Trade Agreement (NAFTA), but all he did was make some modest tweaks. The new agreement is about 90 percent the same, with some elements borrowed from the Trans-Pacific Partnership, the trade deal Trump scrapped at the start of his term.
- **“Massive new trade deals with Japan and South Korea”**: Again, modest at best.
- **“Becoming the world’s top energy producer”**: This happened under Obama.
- **“A colossal reduction in illegal border crossings”**: They have soared under Trump, almost doubling from 2016 to 2019. Trump is counting from May to November, when there has been a decline, but overall the numbers are higher.

- **“45 million dollars spent, 18 angry Democrat prosecutors”**: The special counsel’s investigation cost \$32 million, according to financial reports released by the Justice Department. Mueller reported direct costs and also indirect costs, which no other special counsel had reported for previous investigations. He seized assets from Paul Manafort worth more than \$40 million as part of the probe. Those assets now belong to taxpayers, and there’s a case to be made that the special counsel’s investigation therefore made more money than it spent.
- **“The use of spies against my campaign”**: After the FBI opened a counterintelligence investigation, an FBI informant in Europe, a professor named Stefan Halper, met with at least three people working on the Trump campaign in Europe. But the Justice Department inspector general, in a report issued in 2019, found no evidence that such confidential sources interacted with the campaign before the investigation was started or that any were placed on the campaign.

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