



CHUTZPA (WITH SHARP COMMENT FROM STEVE AND PARTIAL REPLY BY PAUL)

BY PAUL MIRENGOFF

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In 2020, Nancy Pelosi, sitting behind Donald Trump at his State of the Union Address, showed her contempt for the speech by ripping it up. It was a nauseating display by the Speaker — one that said more about her poor character than about Trump or his address.

Afterwards, Trump complained:

I thought it was a terrible thing when she ripped up the speech. First of all, it's an official document. You're not allowed. It's illegal what she did. She broke the law.

It's true that Pelosi did a bad thing. It's doubtful that she did anything illegal. As far as I know, a member of Congress (including the Speaker) has no legal obligation to preserve a copy of someone else's speech (including the State of the Union Address) or any other widely circulated document.

By contrast, the U.S. president has a legal obligation to preserve the papers he handles as president. The obligation flows from the Presidential Records Act.

Yet notwithstanding his condemnation of Pelosi, there are reports that, as president, Trump sometimes ripped up documents he handled — behavior he claimed violated the law when Pelosi did it.

These reports seem to be accurate. They help explain why some of the documents eventually recovered from Trump and turned over to the Archives are torn and taped back together. And although Trump has disputed claims that he flushed some documents down the toilet, to my knowledge he hasn't denied ripping documents up.

Trump's claim that Pelosi violated the law by ripping up public records is very likely false. But it does show that, while president, he was aware of *his* legal obligation not to tear up documents.

It also shows chutzpah, to say the least.

STEVE adds (in what might well turn out to be my final post on Power Line):

I am appalled at how bad this post is. It may be the worst post ever to appear here, and there's lots of competition for that dishonor.

First, are we really supposed to believe that the media reports about this “seem to be accurate”? Like the media reports two years ago that Trump ignored an intelligence finding that Russia had paid bounties to the Taliban for killing American troops in Afghanistan? The media ran with it—until even the new Biden Administration admitted it was bogus.

Second, does anyone over the age of six believe that the strict reading of the Presidential Records Act means that presidents actually keep intact every single scrap of paper put in front of them? The total BS angle of this story, which I expect will be exposed as false or distorted, is that National Archives staff have taped documents back together. This is the most stupid thing I've ever heard in the 21st century. Every White House document, going back to the 1980s if not earlier, is composed on a computer. Why would the Archives need to tape documents back together when a computer backup is surely available? Do you seriously want us to believe that Trump destroyed the only copy of a document? Do we think Trump or his minions were hacking the computer system and deleting the computer records? (This is likely impossible in any case.) When did the White House sneak typewriters in to type single copies of memos, reports, or decision documents to the president? THAT would be a story! How come none of the media organizations you find credible and accurate haven't done one of their supercilious “explainer” articles about how White House documents are created and stored electronically? Oh that's right—the Trump “destroying documents” narrative is a classic case of a story “too good to check.” Power Line used to know a thing or two about checking the creation of documents.

The only case against Trump would be if he destroyed a decision document on which he had written marginal notes or checked a “decision” box. Otherwise there will be an electronic copy. Period. There is no reporting on whether this might be the case. And if Trump ripped up a memo he didn't like, so what? I'd be curious to find out how many documents Presidents Bush and Obama tossed in the trash. And I've still never heard whether Trump employed the traditional system of “decision documents,” which every president for the last 50 have often rejected from time to time, mostly likely throwing more than one of them in the trash can. This has all the earmarks of a trumped-up (heh) story, and even if you intensely dislike Trump, it is pathetic.

This was prominent topic in the Iran-Contra scandal *35 years ago*, when missing or possible destroyed documents were a big issue (including whether Reagan or someone else destroyed copies of some documents). Even in those antediluvian times, every witness noted that all relevant documents were preserved on the White House PROFs system. It was a repeated subject of the 1987 congressional hearings. No one then ever suggested that a document was completely lost. It boggles the mind to think a document could be completely erased today.

Finally, Paul, on your post the other day about the “Johns Hopkins Study” in scare quotes as if to insinuate (quite wrongly) something disreputable, let me just say that the next time you attack my friend Steve Hanke (whom I've written about numerous times on Power Line), let me just say that you'll want to follow Harry Truman's famous advice about stocking up on beefsteak, because a certain former “Akin Gump lawyer” is going to get socked in his fucking face.

That is all.

PAUL REPLIES: I'll respond to Steve's arguments about Trump's document handling in a subsequent post.

As for the "Johns Hopkins Study," I used quotation marks because some have referred to it as such but, for the reasons stated in my post, I think that's a misleading characterization. Johns Hopkins neither commissioned nor endorsed this working paper.

In fact, when John Hinderaker wrote about *and praised* the study, he didn't call it a Johns Hopkins study. And the authors themselves were careful to say in their opening paragraph that "this is a working paper that Johns Hopkins neither commissioned nor endorsed." My post acknowledged their care in this regard.

Did I attack Steve's friend, Professor Hanke? I guess that depends on how one defines attack.

I stated Hanke's affiliation with the libertarian Cato Institute, noted his strong anti-lockdown views, and referenced his recent posting of a cartoon in which Justin Trudeau, dressed up as Adolph Hitler, is run over by a truck. Is any of this not true? If so, I will retract and apologize.

If not, what's the problem? One should normally "consider the source." We do it often on Power Line, Steve as much as anyone — probably more. (He does it in his "sharp comment" when (1) he discounts the reporting on Trump's document destruction because "media reports" were wrong about a particular anti-Trump story two years ago and (2) he notes his friendship with Hanke. But for that friendship, it's clear he wouldn't be talking about me supposedly needing to stock up on beefsteak).

However, as I said in the post, "an author's strong predisposition against lockdowns doesn't necessarily mean his analysis of them isn't fair minded." Indeed, I never claimed that the working paper isn't fair minded. I simply argued that, for various reasons beyond any predisposition the authors might have, I'm not persuaded by the paper's conclusion.

Nor is it an attack on Hanke to say I'm not persuaded by the working paper he co-authored. Noting some of the objections epidemiologists have leveled at the working paper, agreeing with one of the objections, and saying that the study's conclusion is contrary to common sense as I understand it, falls well short of an attack on any of the authors.

But at least Steve's friendship with Hanke provides an excuse for what he wrote regarding my post on the working paper. That excuse doesn't apply to what he wrote about Trump's document destruction, which I'll discuss soon.

STEVE retorts: Oh, I'll look forward to that. So Trump is a hypocritical narcissist. Got it. You have any other breaking news from 1988, Paul? I'm sure there's one reader out there somewhere thinking, "Gee—I had no idea Trump was a narcissist who will say anything and everything. And I wouldn't have known if not for Paul Mirengoff being on the job at Power Line. Somehow I missed this the first 20 times he wrote the same thing. Gosh."