

# Obama Should Release Ukraine Evidence

With the shoot-down of Malaysia Airlines Flight 17 over Ukraine turning a local civil war into a U.S. confrontation with Russia, U.S. intelligence veterans urge President Obama to release what evidence he has about the tragedy and silence the hyperbole.

MEMORANDUM FOR: The President

FROM: Veteran Intelligence Professionals for Sanity (VIPS)

SUBJECT: Intelligence on Shoot-Down of Malaysian Plane

## Executive Summary

U.S. Russian tensions are building in a precarious way over Ukraine, and we are far from certain that your advisers fully appreciate the danger of escalation. The New York Times and other media outlets are treating sensitive issues in dispute as flat-fact, taking their cue from U.S. government sources.

Twelve days after the shoot-down of Malaysian Airlines Flight 17, your administration still has issued no coordinated intelligence assessment summarizing what evidence exists to determine who was responsible much less to convincingly support repeated claims that the plane was downed by a Russian-supplied missile in the hands of Ukrainian separatists.

Your administration has not provided any satellite imagery showing that the separatists had such weaponry, and there are several other “dogs that have not barked.” Washington’s credibility, and your own, will continue to erode, should you be unwilling or unable to present more tangible evidence behind administration claims. In what follows, we put this in the perspective of former intelligence professionals with a cumulative total of 260 years in various parts of U.S. intelligence.

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We, the undersigned former intelligence officers want to share with you our concern about the evidence adduced so far to blame Russia for the July 17 downing of Malaysian Airlines Flight 17. We are retired from government service and none of us is on the payroll of CNN, Fox News, or any other outlet. We intend this memorandum to provide a fresh, different perspective.

As veteran intelligence analysts accustomed to waiting, except in emergency circumstances, for conclusive information before rushing to judgment, we believe that the charges against Russia should be rooted in solid, far more convincing

evidence. And that goes in spades with respect to inflammatory incidents like the shoot-down of an airliner. We are also troubled by the amateurish manner in which fuzzy and flimsy evidence has been served up some of it via "social media."

As intelligence professionals we are embarrassed by the unprofessional use of partial intelligence information. As Americans, we find ourselves hoping that, if you indeed have more conclusive evidence, you will find a way to make it public without further delay. In charging Russia with being directly or indirectly responsible, Secretary of State John Kerry has been particularly definitive. Not so the evidence. His statements seem premature and bear earmarks of an attempt to "poison the jury pool."

### **Painting Russia Black**

We see an eerie resemblance to an earlier exercise in U.S. "public diplomacy" from which valuable lessons can be learned by those more interested in the truth than in exploiting tragic incidents for propaganda advantage. We refer to the behavior of the Reagan administration in the immediate aftermath of the shoot-down of Korean Airlines Flight 007 over Siberia on August 30, 1983. We sketch out below a short summary of that tragic affair, since we suspect you have not been adequately briefed on it. The parallels will be obvious to you.

An advantage of our long tenure as intelligence officers is that we remember what we have witnessed first hand; seldom do we forget key events in which we played an analyst or other role. To put it another way, most of us "know exactly where we were" when a Soviet fighter aircraft shot down Korean Airlines passenger flight 007 over Siberia on August 30, 1983, over 30 years ago. At the time, we were intelligence officers on "active duty." You were 21; many of those around you today were still younger.

Thus, it seems possible that you may be learning how the KAL007 affair went down, so to speak, for the first time; that you may now become more aware of the serious implications for U.S.-Russian relations regarding how the downing of Flight 17 goes down; and that you will come to see merit in preventing ties with Moscow from falling into a state of complete disrepair. In our view, the strategic danger here dwarfs all other considerations.

Hours after the tragic shoot-down on August 30, 1983, the Reagan administration used its very accomplished propaganda machine to twist the available intelligence on Soviet culpability for the killing of all 269 people aboard KAL007. The airliner was shot down after it strayed hundreds of miles off course and penetrated Russia's airspace over sensitive military facilities in Kamchatka and Sakhalin Island. The Soviet pilot tried to signal the plane to land, but the

KAL pilots did not respond to the repeated warnings. Amid confusion about the plane's identity a U.S. spy plane had been in the vicinity hours earlier Soviet ground control ordered the pilot to fire.

The Soviets soon realized they had made a horrendous mistake. U.S. intelligence also knew from sensitive intercepts that the tragedy had resulted from a blunder, not from a willful act of murder (much as on July 3, 1988, the USS Vincennes shot down an Iranian civilian airliner over the Persian Gulf, killing 290 people, an act which President Ronald Reagan dismissively explained as an "understandable accident").

To make the very blackest case against Moscow for shooting down the KAL airliner, the Reagan administration suppressed exculpatory evidence from U.S. electronic intercepts. Washington's mantra became "Moscow's deliberate downing of a civilian passenger plane." *Newsweek* ran a cover emblazoned with the headline "Murder in the Sky." (Apparently, not much has changed; *Time's* cover this week features "Cold War II" and "Putin's dangerous game." The cover story by Simon Shuster, "In Russia, Crime Without Punishment," would merit an A-plus in William Randolph Hearst's course "Yellow Journalism 101.")

When KAL007 was shot down, Alvin A. Snyder, director of the U.S. Information Agency's television and film division, was enlisted in a concerted effort to "heap as much abuse on the Soviet Union as possible," as Snyder writes in his 1995 book, "Warriors of Disinformation."

He and his colleagues also earned an A-plus for bringing the "mainstream media" along. For example, ABC's Ted Koppel noted with patriotic pride, "This has been one of those occasions when there is very little difference between what is churned out by the U.S. government propaganda organs and by the commercial broadcasting networks."

### **"Fixing" the Intelligence Around the Policy**

"The perception we wanted to convey was that the Soviet Union had cold-bloodedly carried out a barbaric act," wrote Snyder, adding that the Reagan administration went so far as to present a doctored transcript of the intercepts to the United Nations Security Council on September 6, 1983.

Only a decade later, when Snyder saw the complete transcripts, including the portions that the Reagan administration had hidden, would he fully realize how many of the central elements of the U.S. presentation were false.

The intercepts showed that the Soviet fighter pilot believed he was pursuing a U.S. spy aircraft and that he was having trouble in the dark identifying the plane. Per instructions from ground control, the pilot had circled the KAL

airliner and tilted his wings to order the aircraft to land. The pilot said he fired warning shots, as well. This information "was not on the tape we were provided," Snyder wrote.

It became abundantly clear to Snyder that, in smearing the Soviets, the Reagan administration had presented false accusations to the United Nations, as well as to the people of the United States and the world. In his book, Snyder acknowledged his own role in the deception, but drew a cynical conclusion. He wrote, "The moral of the story is that all governments, including our own, lie when it suits their purposes. The key is to lie first."

The tortured attempts by your administration and stenographers in the media to blame Russia for the downing of Flight 17, together with John Kerry's unenviable record for credibility, lead us to the reluctant conclusion that the syndrome Snyder describes may also be at work in your own administration; that is, that an ethos of "getting your own lie out first" has replaced "ye shall know the truth." At a minimum, we believe Secretary Kerry displayed unseemly haste in his determination to be first out of the starting gate.

### **Both Sides Cannot Be Telling the Truth**

We have always taken pride in not shooting from the hip, but rather in doing intelligence analysis that is evidence-based. The evidence released to date does not bear close scrutiny; it does not permit a judgment as to which side is lying about the shoot-down of Flight 17. Our entire professional experience would incline us to suspect the Russians almost instinctively. Our more recent experience, particularly observing Secretary Kerry's injudiciousness in latching onto one spurious report after another as "evidence," has gone a long way toward balancing our earlier predispositions.

It seems that whenever Kerry does cite supposed "evidence" that can be checked like the forged anti-Semitic fliers distributed in eastern Ukraine or the photos of alleged Russian special forces soldiers who allegedly slipped into Ukraine the "proof" goes "poof" as Kerry once said in a different context. Still, these misrepresentations seem small peccadillos compared with bigger whoppers like the claim Kerry made on August 30, 2013, no fewer than 35 times, that "we know" the government of Bashar al-Assad was responsible for the chemical incidents near Damascus nine days before.

On September 3, 2013 following your decision to call off the attack on Syria in order to await Congressional authorization Kerry was still pushing for an attack in testimony before a thoroughly sympathetic Senate Foreign Affairs Committee. On the following day Kerry drew highly unusual personal criticism from President Putin, who said: "He is lying, and he knows he is lying. It is sad."

Equally serious, during the first week of September 2013, as you and President Vladimir Putin were putting the final touches to the deal whereby Syrian chemical weapons would be given up for destruction, John Kerry said something that puzzles us to this day. On September 9, 2013, Kerry was in London, still promoting a U.S. attack on Syria for having crossed the "Red Line" you had set against Syria's using chemical weapons.

At a formal press conference, Kerry abruptly dismissed the possibility that Bashar al-Assad would ever give up his chemical weapons, saying, "He isn't about to do that; it can't be done." Just a few hours later, the Russians and Syrians announced Syria's agreement to do precisely what Kerry had ruled out as impossible. You sent him back to Geneva to sign the agreement, and it was formally concluded on September 14.

Regarding the Malaysia Airlines shoot-down of July 17, we believe Kerry has typically rushed to judgment and that his incredible record for credibility poses a huge disadvantage in the diplomatic and propaganda maneuvering vis-a-vis Russia. We suggest you call a halt to this misbegotten "public diplomacy" offensive. If, however, you decide to press on anyway, we suggest you try to find a less tarnished statesman or woman.

### **A Choice Between Two**

If the intelligence on the shoot-down is as weak as it appears judging from the fuzzy scraps that have been released, we strongly suggest you call off the propaganda war and await the findings of those charged with investigating the shoot-down. If, on the other hand, your administration has more concrete, probative intelligence, we strongly suggest that you consider approving it for release, even if there may be some risk of damage to "sources and methods." Too often this consideration is used to prevent information from entering the public domain where, as in this case, it belongs.

There have been critical junctures in the past in which presidents have recognized the need to waive secrecy in order to show what one might call "a decent respect for the opinions of mankind" or even to justify military action.

As senior CIA veteran Milton Bearden has put it, there are occasions when more damage is done to U.S. national security by "protecting" sources and methods than by revealing them. For instance, Bearden noted that Ronald Reagan exposed a sensitive intelligence source in showing a skeptical world the reason for the U.S. attack on Libya in retaliation for the April 5, 1986 bombing at the La Belle Disco in West Berlin. That bombing killed two U.S. servicemen and a Turkish woman, and injured over 200 people, including 79 U.S. servicemen.

Intercepted messages between Tripoli and agents in Europe made it clear that Libya was behind the attack. Here's an excerpt: "At 1:30 in the morning one of the acts was carried out with success, without leaving a trace behind."

Ten days after the bombing the U.S. retaliated, sending over 60 Air Force fighters to strike the Libyan capital of Tripoli and the city of Benghazi. The operation was widely seen as an attempt to kill Colonel Muammar Gaddafi, who survived, but his adopted 15-month-old daughter was killed in the bombing, along with at least 15 other civilians.

Three decades ago, there was more shame attached to the killing of children. As world abhorrence grew after the U.S. bombing strikes, the Reagan administration produced the intercepted, decoded message sent by the Libyan Peoples Bureau in East Berlin acknowledging the "success" of the attack on the disco, and adding the ironically inaccurate boast "without leaving a trace behind."

The Reagan administration made the decision to give up a highly sensitive intelligence source, its ability to intercept and decipher Libyan communications. But once the rest of the world absorbed this evidence, international grumbling subsided and many considered the retaliation against Tripoli justified.

### **If You've Got the Goods...**

If the U.S. has more convincing evidence than what has so far been adduced concerning responsibility for shooting down Flight 17, we believe it would be best to find a way to make that intelligence public even at the risk of compromising "sources and methods." Moreover, we suggest you instruct your subordinates not to cheapen U.S. credibility by releasing key information via social media like Twitter and Facebook.

The reputation of the messenger for credibility is also key in this area of "public diplomacy." As is by now clear to you, in our view Secretary Kerry is more liability than asset in this regard. Similarly, with regard to Director of National Intelligence James Clapper, his March 12, 2013 Congressional testimony under oath to what he later admitted were "clearly erroneous" things regarding NSA collection should disqualify him. Clapper should be kept at far remove from the Flight 17 affair.

What is needed, if you've got the goods, is an Interagency Intelligence Assessment the genre used in the past to lay out the intelligence. We are hearing indirectly from some of our former colleagues that what Secretary Kerry is peddling does not square with the real intelligence. Such was the case late last August, when Kerry created a unique vehicle he called a "Government (not

Intelligence) Assessment” blaming, with no verifiable evidence, Bashar al-Assad for the chemical attacks near Damascus, as honest intelligence analysts refused to go along and, instead, held their noses.

We believe you need to seek out honest intelligence analysts now and hear them out. Then, you may be persuaded to take steps to curb the risk that relations with Russia might escalate from “Cold War II” into an armed confrontation. In all candor, we see little reason to believe that Secretary Kerry and your other advisers appreciate the enormity of that danger.

In our most recent (May 4) memorandum to you, Mr. President, we cautioned that if the U.S. wished “to stop a bloody civil war between east and west Ukraine and avert Russian military intervention in eastern Ukraine, you may be able to do so before the violence hurtles completely out of control.” On July 18, you joined the top leaders of Germany, France, and Russia in calling for an immediate ceasefire. Most informed observers believe you have it in your power to get Ukrainian leaders to agree. The longer Kiev continues its offensive against separatists in eastern Ukraine, the more such U.S. statements appear hypocritical.

We reiterate our recommendations of May 4, that you remove the seeds of this confrontation by publicly disavowing any wish to incorporate Ukraine into NATO and that you make it clear that you are prepared to meet personally with Russian President Putin without delay to discuss ways to defuse the crisis and recognize the legitimate interests of the various parties. The suggestion of an early summit got extraordinary resonance in controlled and independent Russian media. Not so in “mainstream” media in the U.S. Nor did we hear back from you.

The courtesy of a reply is requested.

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