

A Demand for Russian 'Hacking' Proof

More than 20 U.S. intelligence, military and diplomatic veterans are calling on President Obama to release the evidence backing up allegations that Russia aided the Trump campaign – or admit that the proof is lacking.

MEMORANDUM FOR: President Barack Obama

FROM: Veteran Intelligence Professionals for Sanity (VIPS)

SUBJECT: A Key Issue That Still Needs to be Resolved

As President-elect Donald Trump prepares to take the oath of office Friday, a pall hangs over his upcoming presidency amid an unprecedentedly concerted campaign to delegitimize it. Unconfirmed accusations continue to swirl alleging that Russian President Vladimir Putin authorized “Russian hacking” that helped put Mr. Trump in the White House.

As President for a few more days, you have the power to demand concrete evidence of a link between the Russians and WikiLeaks, which published the bulk of the information in question. Lacking that evidence, the American people should be told that there is no fire under the smoke and mirrors of recent weeks.

We urge you to authorize public release of any tangible evidence that takes us beyond the unsubstantiated, “we-assess” judgments by the intelligence agencies. Otherwise, we – as well as other skeptical Americans – will be left with the corrosive suspicion that the intense campaign of accusations is part of a wider attempt to discredit the Russians and those – like Mr. Trump – who wish to deal constructively with them.

Remember the Maine?

Alleged Russian interference has been labeled “an act of war” and Mr. Trump a “traitor.” But the “intelligence” served up to support those charges does not pass the smell test. Your press conference on Wednesday will give you a chance to respond more persuasively to NBC’s Peter Alexander’s challenge at the last one (on Dec. 16) “to show the proof [and], as they say, put your money where your mouth is and declassify some of the intelligence. ...”

You told Alexander you were reluctant to “compromise sources and methods.” We can understand that concern better than most Americans. We would remind you, though, that at critical junctures in the past, your predecessors made judicious decisions to give higher priority to buttressing the credibility of U.S. intelligence-based policy than to protecting sources and methods. With the

Kremlin widely accused by politicians and pundits of “an act of war,” this is the kind of textbook case in which you might seriously consider taking special pains to substantiate serious allegations with hard intelligence – if there is any.

During the Cuban missile crisis, for instance, President Kennedy ordered us to show highly classified photos of Soviet nuclear missiles in Cuba and on ships en route, even though this blew sensitive detail regarding the imagery intelligence capabilities of the cameras on our U-2 aircraft.

President Ronald Reagan’s reaction to the Libyan terrorist bombing of La Belle Disco in Berlin on April 5, 1986, that killed two and injured 79 other U.S. servicemen is another case in point. We had intercepted a Libyan message that morning: “At 1:30 in the morning one of the acts was carried out with success, without leaving a trace behind.” (We should add here that NSA’s dragnet SIGINT capability 30 years later renders it virtually impossible to avoid “leaving a trace behind” once a message is put on the network.)

President Reagan ordered the U.S. Air Force to bomb Col. Muammar Qaddafi’s palace compound to smithereens, killing several civilians. Amid widespread international consternation and demands for proof that Libya was responsible for the Berlin attack, President Reagan ordered us to make public the encrypted Libyan message, thereby sacrificing a collection/decryption capability unknown to the Libyans – until then.

As senior CIA veteran Milton Bearden has put it, there are occasions when more damage is done by “protecting” sources and methods than by revealing them.

Where’s the Beef?

We find the New York Times- and Washington Post-led media Blitz against Trump and Putin truly extraordinary, despite our long experience with intelligence/media related issues. On Jan. 6, the day after your top intelligence officials published what we found to be an embarrassingly shoddy report purporting to prove Russian hacking in support of Trump’s candidacy, the Times banner headline across all six columns on page 1 read: **“PUTIN LED SCHEME TO AID TRUMP, REPORT SAYS.”**

The lead article began: “President Vladimir V. Putin of Russia directed a vast cyberattack aimed at denying Hillary Clinton the presidency and installing Donald J. Trump in the Oval Office, the nation’s top intelligence agencies said in an extraordinary report they delivered on Friday to Mr. Trump.” Eschewing all subtlety, the Times added that the revelations in “this damning report ... undermined the legitimacy” of the President-elect, and “made the case that Mr.

Trump was the favored candidate of Mr. Putin.”

On page A10, however, Times investigative reporter Scott Shane pointed out: “What is missing from the public report is what many Americans most eagerly anticipated: hard evidence to back up the agencies’ claims that the Russian government engineered the election attack. That is a significant omission.”

Shane continued, “Instead, the message from the agencies essentially amounts to ‘trust us.’ There is no discussion of the forensics used to recognize the handiwork of known hacking groups, no mention of intercepted communications between the Kremlin and the hackers, no hint of spies reporting from inside Moscow’s propaganda machinery.”

Shane added that the intelligence report “offers an obvious reason for leaving out the details, declaring that including ‘the precise bases for its assessments’ would ‘reveal sensitive sources and methods and imperil the ability to collect critical foreign intelligence in the future.’”

Shane added a quote from former National Security Agency lawyer Susan Hennessey: “The unclassified report is underwhelming at best. There is essentially no new information for those who have been paying attention.” Ms. Hennessey served as an attorney in NSA’s Office of General Counsel and is now a Brookings Fellow in National Security Law.

Everyone Hacks

There is a lot of ambiguity – whether calculated or not – about “Russian hacking.” “Everyone knows that everyone hacks,” says everyone: Russia hacks; China hacks; every nation that can hacks. So do individuals of various nationalities. This is not the question.

You said at your press conference on Dec. 16 “the intelligence that I have seen gives me great confidence in their [U.S. intelligence agencies’] assessment that the Russians carried out this hack.” “Which hack?” you were asked. “The hack of the DNC and the hack of John Podesta,” you answered.

Earlier during the press conference you alluded to the fact that “the information was in the hands of WikiLeaks.” The key question is how the material from “Russian hacking” got to WikiLeaks, because it was WikiLeaks that published the DNC and Podesta emails.

Our VIPS colleague William Binney, who was Technical Director of NSA and created many of the collection systems still in use, assures us that NSA’s “cast-iron” coverage – particularly surrounding Julian Assange and other people associated with WikiLeaks – would almost certainly have yielded a record of any electronic

transfer from Russia to WikiLeaks. Binney has used some of the highly classified slides released by Edward Snowden to demonstrate precisely how NSA accomplishes this using trace mechanisms embedded throughout the network. [See: "[U.S. Intel Vets Dispute Russia Hacking Claims](#)," Dec. 12, 2016.]

NSA Must Come Clean

We strongly suggest that you ask NSA for any evidence it may have indicating that the results of Russian hacking were given to WikiLeaks. If NSA can produce such evidence, you may wish to order whatever declassification may be needed and then release the evidence. This would go a long way toward allaying suspicions that no evidence exists. If NSA cannot give you that information – and quickly – this would probably mean it does not have any.

In all candor, the checkered record of Director of National Intelligence James Clapper for trustworthiness makes us much less confident that anyone should take it on faith that he is more "trustworthy than the Russians," as you suggested on Dec. 16. You will probably recall that Clapper lied under oath to the Senate Intelligence Committee on March 12, 2013, about NSA dragnet activities; later apologizing for testimony he admitted had been "clearly erroneous." In [our Memorandum](#) for you on Dec. 11, 2013, we cited chapter and verse as to why Clapper should have been fired for saying things he knew to be "clearly erroneous."

In that Memorandum, we endorsed the demand by Rep. Jim Sensenbrenner that Clapper be removed. "Lying to Congress is a federal offense, and Clapper ought to be fired and prosecuted for it," said Sensenbrenner in an interview with The Hill. "The only way laws are effective is if they're enforced."

Actually, we have had trouble understanding why, almost four years after he deliberately misled the Senate, Clapper remains Director of National Intelligence – overseeing the entire intelligence community.

Hacks or Leaks?

Not mentioned until now is our conclusion that leaks are the source of the WikiLeaks disclosures in question – not hacking. Leaks normally leave no electronic trace. William Binney has been emphasizing this for several months and suggesting strongly that the disclosures were from a leaker with physical access to the information – not a hacker with only remote access.

This, of course, makes it even harder to pin the blame on President Putin, or anyone else. And we suspect that this explains why NSA demurred when asked to join the CIA and FBI in expressing "high confidence" in this key judgment of the report put out under Clapper's auspices on Jan. 6, yielding this curious

formulation:

“We also assess Putin and the Russian Government aspired to help President-elect Trump’s election chances when possible by discrediting Secretary Clinton and publicly contrasting her unfavorably to him. All three agencies agree with this judgment. CIA and FBI have high confidence in this judgment; NSA has moderate confidence.” (Emphasis, and lack of emphasis, in original)

In addition, former U.K. Ambassador Craig Murray has said publicly he has first-hand information on the provenance of the leaks, and has expressed surprise that no one from the New York Times or the Washington Post has tried to get in touch with him. We would be interested in knowing whether anyone from your administration, including the intelligence community, has made any effort to contact Ambassador Murray.

What to Do

President-elect Trump said a few days ago that his team will have a “full report on hacking within 90 days.” Whatever the findings of the Trump team turn out to be, they will no doubt be greeted with due skepticism, since Mr. Trump is in no way a disinterested party.

You, on the other hand, enjoy far more credibility – AND power – for the next few days. And we assume you would not wish to hobble your successor with charges that cannot withstand close scrutiny. We suggest you order the chiefs of the NSA, FBI and CIA to the White House and ask them to lay all their cards on the table. They need to show you why you should continue to place credence in what, a month ago, you described as “uniform intelligence assessments” about Russian hacking.

At that point, if the intelligence heads have credible evidence, you have the option of ordering it released – even at the risk of damage to sources and methods. For what it may be worth, we will not be shocked if it turns out that they can do no better than the evidence-deprived assessments they have served up in recent weeks. In that case, we would urge you, in all fairness, to let the American people in on the dearth of convincing evidence before you leave office.

As you will have gathered by now, we strongly suspect that the evidence your intelligence chiefs have of a joint ***Russian-hacking-WikiLeaks-publishing*** operation is no better than the “intelligence” evidence in 2002-2003 – expressed then with comparable flat-fact “certitude” – of the existence of weapons of mass destruction in Iraq.

Obama’s Legacy

Mr. President, there is much talk in your final days in office about your legacy. Will part of that legacy be that you stood by while flames of illegitimacy rose willy-nilly around your successor? Or will you use your power to reveal the information – or the fact that there are merely unsupported allegations – that would enable us to deal with them responsibly?

In the immediate wake of the holiday on which we mark the birthday of Dr. Martin Luther King, Jr., it seems appropriate to make reference to his legacy, calling to mind the graphic words in his “Letter From the Birmingham City Jail,” with which he reminds us of our common duty to expose lies and injustice:

“Like a boil that can never be cured as long as it is covered up, but must be opened with all its pus-flowing ugliness to the natural medicines of air and light, injustice must likewise be exposed, with all of the tension its exposing creates, to the light of human conscience and the air of national opinion before it can be cured.”

For the Steering Group, Veteran Intelligence Professionals for Sanity (VIPS)

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Marshall Carter-Tripp, Foreign Service Officer (ret) and former Office Director in the State Department Bureau of Intelligence and Research

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