

# PATRICK LAWRENCE: Finally Time for DNC Email Evidence

The crumbling of Russiagate focuses attention on the considerable evidence that Russian intelligence agencies charged with intrusion into DNC servers had nothing to do with it.

**By Patrick Lawrence**

*Special to Consortium News*

Three years after the narrative we call Russiagate was framed and incessantly promoted, it crumbles into rubble as we speak. The mini-empire of allegations, presuppositions, fallacious syllogisms, leaps of logic, imagined connections and mis- and disinformation marshaled to support charges of Russian interference in the 2016 elections is more or less a ruin.

The total collapse of the Russiagate orthodoxy now appears within reach – this for the first time since the Democratic National Committee set the narrative in motion after its email servers were compromised during the Trump–Clinton presidential contest. There is a good chance – though this is not a certainty – that Attorney General William Barr’s just-launched investigation will fully expose the numerous charges of Russian intervention as fabrications. Evidence of these fabrications, long available but ignored in a remarkably prevalent case of willful blindness, continues to grow such that it may be difficult to obscure it much longer.

It is now officially acknowledged that there is no credible

evidence that Donald Trump colluded with Russia to defeat Hillary Clinton in the 2016 election. At this point, the demonstrably bogus assertion that Russian intelligence hacked into the DNC's email system in mid-2016 is the one remaining feature of the Russiagate orthodoxy that is commonly considered rock solid.

The mythology on this question remains deeply embedded, the absence of any supporting evidence notwithstanding. Press and broadcast reports rarely miss an opportunity to cast Russian responsibility for the DNC email intrusion as a foregone conclusion. But this, too, is a tower built on sand. To put Russiagate decisively in the past now comes to demolishing this last, unsound edifice. The rest is already too discredited for anyone but naïve liberals, wishful-thinking "progressives" and the most committed ideologues to take seriously.

This focuses attention on the evidence – considerable and accumulating – that Russian intelligence agencies, officially charged with intrusion into the DNC's servers, had nothing to do with it. It is now two years since technically qualified intelligence professionals of long experience reported via ***Consortium News*** that the theft of Democratic Party email in 2016 was neither a hack nor a Russian intelligence operation. In July 2017 Veteran Intelligence Professionals for Sanity presented persuasive evidence that the DNC's servers had been compromised by someone with direct access to them.

The email messages subsequently posted by *WikiLeaks* had been pilfered by an insider of unknown identity: This was the conclusion VIPS drew in [VIPS50](#), the group's report on the

mail incident, on the basis of the evidence it had gathered while working with other independent forensic investigators. The “hack,” in short, was not a hack. It was a leak.

A cacophony of objections erupted after *Consortium* posted VIPS50. Much – vastly too much – has been made of a group of “dissenters” within the VIPS organization who did not endorse the report. But neither these dissenters nor the many others attempting to discredit VIPS50 have succeeded in doing so. No countervailing evidence from any quarter has been presented. Based on continuing research, VIPS subsequently altered some of its initial conclusions, as [noted in this space](#) a year ago. But its principal findings stand.

## **VIPS50**

This puts VIPS50, while still officially excluded from the record, among the most consequential documents to be published since the Russiagate narrative took shape three years ago. If we are to recover from the destructive, divisive nightmare Russiagate has become, VIPS50 will be key to the process. There are indications now that its findings, based on impartially conducted data analysis and forensic science, will soon get the consideration they have deserved from the first. My sources suggest Barr’s office is making use of VIPS report and subsequent findings as it begins its investigation into the genesis of the Russiagate allegations.

Much anticipation preceded the publication in mid-April of the report on Russian interference completed in the office of Special Counsel Robert Mueller. Contrary to prevalent

expectations, however, the 448–page document failed to confirm the case for Russiagate and did much to weaken it. Not only did the report conclude that neither President Trump nor anyone in his campaign colluded with Russia as he fought the 2016 election; it also made clear that the special counsel’s office did not undertake a credible investigation of the charge that Russian intelligence hacked the DNC’s mail servers.

Mueller failed to call numerous key witnesses, among them Julian Assange, the *WikiLeaks* founder and publisher, and Bill Binney, formerly a technical director at the National Security Agency and one of several technical experts in the VIPS group. He also failed to pursue alternative theories in the email-theft case; a duty of any investigator in Mueller’s position. Only the willfully blind can accept these irregularities as legitimate conduct.

Remarkably enough, Mueller’s investigation appears to have conducted no forensic tests of its own to verify allegations of a Russian hacking operation. It relied instead on the patently faulty findings of CrowdStrike, the disreputable cyber-security firm that was working for the DNC by mid–2016. Critically, the special counsel also appears to have neglected to consult the NSA for evidence pertaining to the DNC incident. Had the intrusion been a hack conducted over the internet, by Russians or anyone else, the agency would have a fully detailed digital record of the operation and the means to trace the intervention to its perpetrators. Why, it is perfectly logical to ask, was such a record not cited prominently in the Mueller report?

Mueller’s testimony before two congressional committees on

July 24 was a further blow to the Russiagate thesis. The special counsel came over as a detached, out-of-touch figurehead with a very loose grip on his own investigation and poor knowledge of the report bearing his signature. Soon afterward, even Trump's adversaries in the Democratic camp began to give up the ghost. "In the hours and days after Mr. Mueller gave his opening statement before the House Judiciary Committee," wrote Samuel Moyn, a Yale law professor, "it became clear how tenaciously many liberals and progressives are clinging to fantasy." [Moyn's piece](#) appeared in *The New York Times*. The headline reads, "The Mueller Fantasy Comes Crashing Down."

Despite the stunningly anticlimactic outcome of the Mueller report and his subsequent appearance on Capitol Hill – which was intended from the first to be a matter of spectacle rather than substance – new allegations of Russian interference continue to arrive on front pages and in news broadcasts. The latest came the day after Mueller's testimony, when the Senate Intelligence Committee [reported](#) that Russia intruded into the election systems of all 50 states during the 2016 campaigns. The report offered no supporting evidence, per usual. It was heavily redacted at the request of the relevant intelligence agencies, again per usual.

### **Question of Evidence**

This brings us to the question of evidence. To go back to the initial allegations of Russian interference three years ago, at no point since have any of these commonly accepted charges been accompanied by hard, legally and logically sound evidence to back them up. This astonishing lacuna,

while intently papered over in the media, on Capitol Hill, at the Justice Department, in the intelligence apparatus, and among law-enforcement agencies, has rendered the Russiagate orthodoxy vulnerable from the first. It now emerges that the evidence problem is worse than even the most committed critics of the Russiagate narrative had thought.

This came to light this spring, during the pre-trial discovery phase of the case against Roger Stone, the onetime Trump aide charged with obstructing justice and misleading Congress. When Stone's attorneys requested CrowdStrike's final report on the DNC email theft, which they said was relevant to his defense, prosecutors returned with the stunning revelation that CrowdStrike, the DNC's cybersecurity firm, never submitted a final report. "The government does not possess the information the defendant seeks," the Justice Department responded via a court filing.

The Federal Bureau of Investigation's failure to take possession of the DNC's email servers from CrowdStrike after the mid-2016 intrusion, a shocking case of official malfeasance, has long been dismissed as an unimportant detail. We now know that the FBI, the Justice Department and the Mueller investigation relied on nothing more than three CrowdStrike drafts – all of them redacted by CrowdStrike – to build the case for Russia's culpability in the theft of the DNC's email.

Not only did the FBI fail to establish a proper chain of evidentiary custody after the incident at the DNC; it is now clear the bureau knows of the email theft only what CrowdStrike chose to tell it. There is no evidence that the

FBI asked the NSA for its records of the incident. Nor is there any indication that CrowdStrike has ever given the FBI or prosecutors in the Stone case the data it used to produce its never-completed report. "CrowdStrike appears to have destroyed evidence or is hiding it," Bill Binney said in a telephone interview.

The corporate media continue to pretend in their press reports and news broadcasts that the official investigation of the DNC email incident was conducted according to the highest standard of legitimacy. Democrats on Capitol Hill, still pursuing their own investigations, never question the validity of the officially constructed case alleging Russia's responsibility. The revelation of negligence the Stone trial brings to light, which amounts to corruption, could hardly expose this prolonged charade more starkly.

Forensic investigators, meantime, continue to gather evidence supporting the leak-not-hack case made in VIPS50. The gap thus widens between the official story of the DNC mail incident and the case supported by forensic research done by VIPS and other independent investigators working in association with it.

Last February these investigators discovered that email pilfered in 2016 and subsequently conveyed to *WikiLeaks* had been stored according to a system called File Allocation Table, or FAT. The FAT system time-stamps data according to their last modifications and, because it is less precise than other storage systems, it rounds up time stamps to the next even number. If the FAT system is used to store data, it is a strong indication that the data were stored on a memory key or another such portable device.

In the 35, 816 email messages investigators examined, the FAT system assigned even-numbered time stamps to all of them. Binney, a mathematician by training, puts the chance of this occurring without the use of a portable storage device at 1 in 2 to the 35,816<sup>th</sup> power – meaning it is a virtual impossibility.

The FAT numbering pattern detected in the email messages tested does not indicate at what stage or where a portable device was used. It shows only that such a device was used at some point in the handling of the data; a portable device may or may not have been used to execute the initial download. But the presence of the FAT system in the metadata of the emails tested adds another layer of circumstantial evidence supporting the VIPS case that the theft of DNC mail was a leak executed locally via a portable device and not a remote hack conducted through the internet. At the very least, it is an additional line of inquiry the FBI, the intelligence agencies, and the Mueller investigation have left unexamined.

## **VIPS Dissenters**

Among the critics of VIPS50, none has influenced public opinion as much as the dissenters within the group's membership. The presence of these dissenters has been evident since VIPS50 went through repeated drafts over a period of nearly two weeks. This is a group of honorable, in many cases brave people. But they advanced no coherent objections to the VIPS document prior to its publication, and this remained the case for some time after *Consortium News* posted it on July 24, 2017. Having begun reporting on VIPS50 shortly after that date, I found – and continue to



find – the dissenters’ position heavily inflected with personal animosities and political leanings having no bearing on the validity of the VIPS50 findings.

A number of dissenters signed a contribution to [a forum The Nation hosted](#) after the magazine published [a piece](#) I wrote on VIPS50 in August 2017. This was the first time the dissenters publicly presented substantive objections to VIPS50, and they focused on the core of the VIPS case. This case continues to rest primarily on the speed at which a mail theft could be executed in mid-2016. The transfer speed, identified by an analysis of metadata found on documents stolen at that time, was considerably faster than the rate possible over the internet at the time of the intrusion, indicating a leak by someone using a portable storage device and with direct access to the DNC’s servers.

The dissenting group took specific issue with these findings. “Data-transfer speeds across networks and the Internet measured in megabits per second (or megabytes per second) can easily achieve rates that greatly exceed the cited reference in the VIPS memo,” the dissidents wrote.

It was at this point the dissenters repeated the failures of the intelligence apparatus and the Mueller investigation: They produced no evidence. There is no indication the dissenters conducted tests to support their assertion on the speed question. The VIPS memo applied scientific method to the DNC mail theft for the first time and was intended as an “evidence to date” document. This marked a transformative advance in how the DNC incident can be understood: The imperative since has been to bring countervailing evidence to the investigative process, which continues. No one –not

the dissenters, not the DNC, not the “intelligence community,” not Mueller, not the press – has done so.

The dissenters have been silent since their contribution to *The Nation's* forum. Members have declined invitations to work with VIPS50 signatories to develop further the evidence presented in the memo. When I queried a number of dissenters for this commentary, one replied. This person did not address the findings of forensic investigators while reproducing what VIPS50 signatories term the “emotional arguments” that have characterized the dissenters’ response to the memo since the drafting phase two summers ago. These continuing difficulties appear partly to reflect a desire not to be seen defending either Trump or the Russians.

### **Barr’s Investigation**

The NSA, the CIA, the FBI, the Mueller investigation, the press – none has shown the slightest interest in the findings outlined in VIPS50. This can come as no surprise, given the heavy investments all of these entities have made in the Russians-did-it explanation of the DNC email incident. But this omission is nonetheless negligent when one considers the contradicting evidence VIPS and those associated with it continue to amass. A key question now arises: Will the Barr investigation into the genesis of allegations of Russian interference, begun three months ago, transcend this politically inspired ignorance to expose official accounts of the mid-2016 mail theft as fallacies?

The early signs were that Barr’s investigators would at last explode the Russiagate narrative. Trump was unmistakably determined to do so when he urged Barr to “investigate the

investigators” last spring. In mid-May Barr appointed John Durham, a federal prosecutor, to direct this effort. Ten days later Trump gave Barr “full and complete authority to declassify information” related to the conduct of the intelligence agencies, the FBI, and the Justice Department.

It was clear very early that Trump was aware of VIPS50 and entertained a lively interest in its findings. In September 2017, two months after *Consortium* published the memo, he ordered Mike Pompeo, then director of the CIA, to interview Bill Binney, the leading technical expert within the VIPS group. Pompeo did so in October 2017, but by Binney’s account he flinched: Pompeo heard Binney out at the president’s insistence, but he never pursued the forensic findings the former NSA technical director walked him through.

This was an early sign, it is now plain, that even efforts to unearth the truth of the allegations against Russia that emanate from the White House would meet political resistance. Another came last Friday, when Trump was forced to drop John Ratcliffe, a Texas Republican who pledged to support a full investigation of Russiagate, as his nominee to replace Dan Coats as director of national intelligence. While Ratcliffe considered the orthodox Russiagate narrative bogus, Coats was vigorous in his promotion of it.

This makes political will another key question to ask of the Barr investigation: Full exposure of the travesty of Russiagate is almost certainly within Barr’s power to achieve. Will he do so?

Whether Trump will remain consistent in his backing of Barr

is another such question. While Trump habitually terms Russiagate “a hoax,” he has also indicated on a number of occasions that his true objective is simply to escape the charge that he colluded with Russians to win the 2016 election. “I never said Russia did not meddle in the election,” [Trump tweeted](#) earlier this year. “I said, ‘It may be Russia, or China, or another country or group, or it may be a 400-pound genius sitting in bed and playing with his computer.’ The Russian ‘hoax’ was that the Trump campaign colluded with Russia—it never did!”

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– Donald J. Trump (@realDonaldTrump) [February 18, 2018](#)

A president who slips and slides, an administrative state – the Deep State if you like – thoroughly committed to defending falsified accounts of the mid-2016 intrusions into the DNC’s email servers, a supine press: It is impossible to say when or whether the truth of the events of three years ago will emerge. The evidence is there, sufficient now to conclude the Russigate case. The greatest remaining obstacle is the willful ignorance that incubated the Russiagate narrative and now prolongs it. We reach a point when evidence and more evidence, along with political integrity, are the only effective replies to this cynical, foolish, and costly recalcitrance.

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