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U.S. Intelligence Vets Criticize Obama for Peddling Weak MH17 Evidence

Matthew Phelan

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A real Justice League of veterans from the U.S. intelligence community (many of them famous whistleblowers you know and love) are imploring the Obama administration to either put up their best evidence proving that pro-Russian separatists shot down Malaysia Airlines flight 17—or shut up. We spoke to them.

"You need evidence and you need to show a disciplined analytic approach where you assemble all the evidence and then make a summary judgment," Bill Binney, a retired former Technical Director for the NSA's World Geopolitical and Military Analysis Reporting Group, said in a telephone interview. "You don't let little bits and pieces out and say, 'This is what proves it.'"

"I mean, if you want to be believed."

In late July, Binney and a loose coalition of U.S. national security veterans under the name Veteran Intelligence Professionals for Sanity (VIPS) sent a memo to the White House calling on the Obama administration to either release its full intelligence on the downing of MH17 or "call off the propaganda war and await the findings of those charged with investigating the shoot-down." On July 29th, the group also published their memo as an open letter with *Consortium News*, the website of investigative journalist Robert Parry, a 1984 Polk Award winner for National Reporting.

"His history of reporting on Iran-Contra earns him some respect," VIPS member Coleen Rowley, a former FBI division counsel and agent, says of their decision to publish with *Consortium News*. Rowley, herself, was a *Time* magazine "Person of the Year" in 2002 for her role in exposing the FBI's mishandling of the pre-9/11 investigation into terrorist suspect Zacarias Moussaoui.

In practice, VIPS operates something like a listserv for principled, agitated ex-spooks. Memos are drafted, debated, and redrafted over the length of an email chain and those most actively involved put their name to the final version when it's sent out. Ten members total signed onto the VIPS MH17 memo: Rowley, two former NSA officials, two ex-CIA men, a U.S. Army colonel who resigned over her objections to the Iraq war, a retired U.S. Army Judge Advocate, and prior members of the State Department's Foreign Service Office, the National Intelligence Council, and the council's Mid East division.

When we contacted PBS *Frontline* documentarian Michael Kirk—a multiple Emmy, Peabody, and Polk winner—to ask his opinion of three former-NSA VIPS, Binney,

Edward Loomis, and J. Kirk Wiebe, he hesitated to speak to their "qualifications to talk about MH17 or Russian/U.S. political maneuvers," but stuck to their veracity and integrity as sources.

"Our research and other interviews verified the accuracy of their stories to our satisfaction," Kirk wrote Black Bag via email. "So far, no one in authority (or otherwise) has challenged their assertions."

The VIPS' collective integrity as sources may ultimately turn out to be just as important as their qualifications to weigh-in on the MH17 crisis: Both Parry and VIPS say they have heard independently from knowledgeable sources that analysts within the U.S. intelligence community were not and are not confident that the rebels in eastern Ukraine have either the expertise or the equipment to shoot down MH17.

"What I was told was that, at first the analysts were not finding the hard evidence to support 'the Kerry position' if you will, this assumption that the rebels shot down the plane with a sophisticated missile battery provided by the Russians," Parry told us.

"So they have begun looking in other directions, including the possibility that some element of the Ukrainian government was responsible. And they are exploring the different possible scenarios and motives that would go with that."

Years ago, Bill Binney, along with fellow NSA employees Ed Loomis and Kirk Wiebe, had complained to the Department of Defense Inspector General's Office over fraud, potential illegal activity, and privacy breaches within the agency's Trailblazer surveillance project. In October 2001, after serving for 36 years, Binney chose to resign rather than become, as he would tell the *New Yorker*, "an accessory to subverting the Constitution." Loomis and Wiebe followed suit, choosing retirement as an act of conscientious objection.

Binney, Loomis, and Wiebe are fairly recent additions to VIPS.

"We all joined this organization this past summer," Wiebe, a former signals intelligence analyst, told Black Bag.

Almost a decade earlier, VIPS originally came together to publish a joint-critique of Colin Powell's February 5th, 2003 U.N. speech: the infamously embarrassing one; the one with the dinky vial of yellowcake that made the case for Saddam possessing weapons of mass destruction. Directed at then-president Bush, VIPS' response ran on the Agence France-Presse (AFP) newswire, and was followed by a barrage of nine equally scathing open memos that year. Since 2003, the group has collectively weighed-in to condemn the CIA's use of torture, to criticize administration policies in Syria, and —this one's the best—to strongly suggest that Obama fire James Clapper. (Still a good idea.) To review: They have a pretty good track record, despite their distinctly cranky "letter to the local newspaper"-vibe.

VIPS' July 29th, 2014 memo on flight MH17 is worth reading in its entirety, but here are some highlights:

> 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. [...]

> 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." [...]

> 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.

The group, of course, is not entirely unique in this assessment. In a heated, Sorkin-esque repartee, AP journalist Matthew Lee voiced similar misgivings about the intelligence at a presser run by State Department spokeswoman Marie Harf.

> **Harf:** I can't tell you what the information's based on. I know that's disappointing to you, Matt—
>
> **Lee:** It's not me who you need to convince. It's the rest of the world—
>
> **Harf:** The rest of the world who has seen these separatists shoot down a dozen planes, who has now seen a separatist leader come out and say they had this missile and appear to at least take credit for something similar to this. So I think there's a preponderance of evidence. We went through it yesterday. I'm happy to continue going through it.
>
> **Lee:** No, no, no, no. No, I don't think we need to go through all of what you guys presented in lieu of evidence.

If you want to ruin your image of these two in a smouldering, high-minded debate, walking briskly down a West Wing hallway, then feel free to watch the *Wall Street Journal*'s video capturing their spat:

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BigCharts
Virtual Stock Exchange
Financial News
WSJ Asia
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WSJ Japan japanese edition
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WSJ Deutschland
WSJ Americas
en Español
em Português
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WSJ Wine

Presented in its fullest at a July 22nd press conference, the MH17 intelligence that the Obama administration has been willing to make public, thus far, amounts to the following:

- An NSA voiceprint analysis of the Ukrainian intelligence service's choice clips of intercepted communications allegedly between pro-Russian separatists and Russian forces.

- (The VIPS memo makes a forceful comparison between these intercepts and the doctored release of Soviet transmissions submitted to the U.N. by President Reagan after the downing of Korean Airlines flight 007. Then-Secretary of State George Shultz promised Reagan he would mount a full-court press "to exploit the incident"—according to the former television director of the U.S. Information Agency, Alvin Snyder—presenting a case to the U.N. and the American public that cast the incident in the worst possible light. "The perception we wanted to convey was that the Soviet Union had cold-bloodedly carried out a barbaric act," Snyder wrote in his memoir. This is one of the more well-documented deceptions in U.S. history, complete with a book-length Seymour Hersh treatment, *The Target is Destroyed*, and apologetic CIA monographs. So: do not soon forget this shitty case study in the exploitation of civilian casualties.)
- "If they only release something like a four-minute or five-minute cut, you have to say, 'OK. I want to see the rest of it,'" Binney says of the MH17 intercepts. "You have to catch it from the beginning, because you can't trust them, you know. They'll give you a slanted view."

- Evidence pulled from various social media sources, that would appear to depict a SA-11 Buk missile system rattling through the separatist-occupied towns of Torez and Snizhne. U.S. officials have said this is significant, because as-yet-unreleased evidence from American radar and space-based assets supposedly shows the missile that downed MH17 originating near Snizhne. Further social media evidence, a video, appeared to show the SA-11 traveling through the Krasnodon area back to Russia. But, as the *Wall Street Journal* noted, the U.S. is "still working to verify the location and direction identified in the video."
- Aerial surveillance photos depicting a training center in southwest Russia where the U.S. says that separatists were taught to use SA-11 air defense systems.

And that's it basically. An impressive body of evidence, had it been culled by a Daily Kos diarist, but perhaps less so for the $1 trillion national security apparatus of the United States of America?

The VIPS members I spoke to (six total) all seemed unanimous in their opinion that the U.S. intelligence community likely has comprehensive evidence documenting exactly what happened to Malaysia Airlines flight MH17.

"In all probability, there very likely were U.S., NATO, and/or Russian assets trained on eastern Ukraine at the time of the shoot down, and those assets may have included ELINT, COMINT, and infrared sensors," VIPS member and former NSA computer scientist Ed Loomis wrote in an email to Black Bag. "If not, those responsible for such a failure deserve to be in the unemployment line."

None of them considered the need for U.S. intelligence agencies to protect "sources and methods" to be a sufficient rationale for withholding this information from the public.

"They should tell us what the source was, and if that risks losing a source or a method, well, the stakes are so high here," retired CIA analyst Ray McGovern said. "We're talking about the possibility of an armed confrontation with Russia. I mean, you couldn't think of higher stakes."

A true staple guest across the whole spectrum of alternative news media—a pal to the paranoid libertarian's at *Infowars* and the academic Marxist's at *Democracy Now!*—McGovern has jumped into his second career as a critic of America's national security state with, let it be said, major alacrity. A winner of the CIA's Intelligence Commendation Medal, McGovern chaired National Intelligence Estimates for Ronald Reagan, putting together his President's Daily Brief for six years—facts that made it especially great (and totally 80s) when he summarized the new VIPS memo like this:

"Mr. President, show us the beef."

Is it even worth openly venturing an opinion on what happened to Malaysia Airlines flight 17 in its final moments over eastern Ukraine?

We'll honestly be lucky to accidentally discover the full story 30 years from now—through the senile candor of a former cabinet official, or some oversight committee hearing, or the suspiciously generous fulfillment of a random FOIA request.

Between the lines of the Obama administration's rush to blame Ukraine's pro-Russian rebels, the government's own evidence appears to be pointing to a faction within the Ukrainian government, an unruly patchwork of alliances that have only been in power since late February.

Following the government's July 22nd press conference, the *L.A. Times* reported that "U.S. intelligence agencies have so far been unable to determine the nationalities or identities of the crew that launched the missile. U.S. officials said it was possible the SA-11 was launched by a defector from the Ukrainian military who was trained to use similar missile systems."

An anonymous source that Robert Parry says "has been accurate in the past, though that's not a guarantee" has told him that the U.S. intelligence community does have detailed satellite imagery of the SA-11 Buk missile battery that likely downed MH17—and that the system was surrounded by troops dressed in Ukrainian government uniforms. CIA analysts, the source noted, saw what appeared to be beer bottles scattered around the Buk missile site and suspect that the soldiers involved might be undisciplined, insubordinate, or possibly drunk. Granted: Based solely on the satellite photos, the bottles could have also been O'Douls, or Stewart's Fountain Classics®, or a weird mass of bottle-shaped rocks.

"The one thing that I was told—and I was told this very specifically—was that the evidence does not implicate President Poroshenko or Prime Minister Yatsenyuk," Parry says.

"The suggestion was that—if the Ukrainian government turns out to have been responsible—that it would have been something done by the more extremist factions, possibly one of the oligarchs, one or more of the oligarchs, who have their own power bases and are now incorporated into the government since the February 26th coup. So that's more the avenue that I am told some of the analysts have been pursuing."

"And that includes the possible motive of a botched attempt to take down Putin's plane, although that's only one of a couple different possibilities that they're looking at in this area. So it appears that the analysts are trying to do a thorough job of exploring all the different possibilities and not just jumping to one conclusion." This despite what Parry describes as "intense pressure" from Secretary Kerry to find evidence bolstering the version of events that he's put forth, personally, in repeated media appearances since the tragedy. (You can read more of Parry's reporting on the U.S. intelligence here.)

When Ukraine lost control of Crimea, the central government made the controversial move of handing governorships in the eastern regions to some of the nation's most powerful billionaires, post-Soviet-era resource barons whose economic sway over the locals might tamp down ethnically Russian unrest. Ihor Kolomoisky, a 51-year-old banking tycoon, is currently the governor of the Dnipropetrovsk region in eastern

Ukraine. According to the *Wall Street Journal*, he's personally spending around $10 million per month on salaries for militia and police units—which his aides call "Kolomoisky's Army" though portions ostensibly answer to Ukraine's army and interior ministry. The comparatively cash-poor Serhiy Taruta, a metallurgy and agribusiness millionaire worth $479 million according to *Forbes*, was appointed governor of Donetsk.

"Certainly some politicians are questioning exactly what will happen to these battalions once the operation in the east is complete. The concern is that they will serve as the private armies of various oligarchs that are financing them, including Taruta, and that this will have long-term repercussions for the state," a political analyst in Kiev told VICE News.

Moscow is already accusing Kolomoisky of responsibility for the downing of MH17. If the U.S. intelligence community reaches the same conclusion, he will make a fun, glamorous suspect for the international community: a petty independent actor with a lot to gain from a unified Ukraine, a giant shark tank in his personal office, and a history of strong-arm tactics that have made Kolomoisky feared/loathed in both business and Europe's Jewish community groups.

Vice President Joe Biden's son, Hunter, and his chum Devon Archer (a co-partner at an equities fund with John Kerry's stepson, Christopher Heinz), recently joined the board of the private Ukrainian natural gas company Burisma Holdings, which Kolomoisky owns.

Plus, Kolomoisky's forces have a track record of reckless behavior, including an incident a few weeks ago in which they kidnapped a *Bloomberg* news reporter, Stepan Kravchenko. After being released, Kravchenko later described them as "bored Russian-speakers, the blood and muscle of a conflict where random hatred reigns on both sides." Christ. Maybe this is the kind of conflict where a bunch of drunk hooligans could cause World War III just by fooling around with a Buk? Who knows?

Anyway.

The United States and the EU are currently in a trade war with Russia over Ukraine. The Dutch-led independent investigation into the crash is promising to issue its—sure to be U.S./NATO-slanted—preliminary version of events "in a few weeks' time." The Ukrainian government is requesting international humanitarian aid for the beleaguered people of the eastern regions, but is wary of Russia's humanitarian aid—which is still currently stalled and idling on the border. (Perhaps, it should be said, with good cause.) Russia and the separatists have called for a ceasefire "to prevent the proliferation of a humanitarian disaster" and negotiations are ongoing in Berlin. At the moment, you are reading this sentence.

A smart way to cut through all this noise, might be to focus on the fact that 298 innocent civilians died and that their families and loved ones deserve an honest investigation into the crime.

"This should not be treated as a propaganda game or information warfare or whatever they call it these days," Parry stressed as we discussed the incident. "It should be treated as a serious effort to find out what happened, to show respect for the people who were killed, and to hold whoever was responsible accountable as best you can."

It's been over two weeks since the VIPS issued their MH17 memo.

There's been no response from the Obama administration (obviously?) and—aside from America's vast, sometimes noble, sometimes misguided, sometimes odious, community of fringe parapolitical weirdos and conspiracists—no one seems to have cared or even noticed.

"Coleen and I were both on this press release, and it's been around to radio stations and TV outlets—here and abroad—the whole schmear. Guess how many calls we got?" Ray McGovern, the former CIA analyst, asked.

"Zippo. When this usually happens, I get about three radio or TV interviews a day. I have to keep track so they don't merge into one another. Not even a local station in St. Louis." McGovern suggested that Coleen Rowley, the retired FBI division counsel, be asked about it.

"I think got one; one or two at the most," Rowley said during an August 2nd phone call, "but I attribute this to so much competing news on quite varied fronts. The worst one being this ongoing bombing of Gaza. There's so many competing stories out there right now."

She cited the Islamic State's wave of terror in Iraq and Syria, the child migrant crisis at the border, various votes in Congress, and "[CIA Director John] Brennan on Friday—of course [usually] a slow news day on Friday, right before the weekend, and in August, which is [usually] a slow news month— then admits that he had completely lied, and, yes, his staffers had accessed the Senate committee's computers."

"Any other time," Rowley thinks, "it would have been a Watergate-type news story. You know, calls for him to be fired and stuff."

VIPS is over a decade old now; participation tends to be in a state of flux. Bill Binney estimates that there are currently about 20 to 27 members. People leave the group; new people come in.

Many of them are seniors or middle-aged, old enough to choose early retirement, or become forced into it, over their ethical objections to America's national security state. They are like a lot of the civic-minded older people you already know. They have earthlink, and comcast, and yahoo email addresses. The critical exception is that they learned their espionage tradecraft from a lifetime of professional experience, as opposed to reading a Robert Ludlum novel by the pool.

"I keep thinking—hoping—that the need for this would go away. That we could kind of relax—or retire *really*," Rowley says with a laugh. "I mean, I have grandchildren and

there's a whole bunch of things that I'd prefer to be doing, but as long as this seems to be getting worse rather than better, it's hard to say, 'I wanna take a break.'"

"Who knows how much good it does?" Kirk Wiebe, the former signals analyst, wondered aloud during our conversation, trailing off for a moment.

"One tends to feel very small in this huge ocean of information."

[*July 20, 2014 satellite image of the MH17 crash site taken by Colorado-based company DigitalGlobe; MH17 asterism made via a Reuters file photo*]

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Featured Replies All Replies

eelskinboots ▯ Matthew Phelan ★ 2
08/18/14 11:42AM

President Roslin of Battlestar Galactica:

> I remember when president Adar sent the marines into Aerilon. 15 people died. In public, of course, he had to say all the usual things. He– he was sure of what he'd done, made the right choice, stayed the course. But he knew it was a mistake. And he kept the names of the dead in his desk drawer. He said that it was imperative for a leader to remember and learn from the mistakes even if they can't admit to them publicly.

eelskinboots ▯ eelskinboots ★ 1
08/18/14 02:40PM

And I am now officially a geek.

Matthew Phelan ▯ eelskinboots

08/19/14 08:11PM

A+

xoxo

bump.

etc.

Splatworthy ▯ Matthew Phelan ★ 1
08/19/14 10:59AM

It is interesting that the preponderance of the initial evidence does suggest it was the rebels who shot down the plane. The concern that this group is highlighting is that there hasn't been any follow up evidence and it's unlikely this area was not under multiple systems surveillance. So it should be a "slam dunk", open and shut case. Only, there hasn't been that kind of evidence provided. In the intelligence community, that causes alarm bells to go off. The federal response has been disingenuously vague; nothing has been confirmed. That, coupled with the knowledge it's in the administration's best interests to have the public assume the passenger jet was shot down by separatists, increases skepticism. And not confirming it allows the administration to say in years to come, "Well, we never said it *was* the separatists." Consider me concerned. I guess, on the upside, it doesn't really change anything if it was the Ukranian forces who shot down the plane. Russia is still supplying arms to a rebel faction in a sovereign nation.

Matthew Phelan ▯ Splatworthy ★ 2
08/19/14 01:21PM

Yes. A "sovereign nation."

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toothpetard ▯ Matthew Phelan ★ 7
08/18/14 10:46AM

The separatists are where saddam stashed the WMDs. It's all coming together for me now.

soberD ▯ toothpetard ★ 6
08/18/14 11:17AM

Yeah I have trouble taking anything the US is saying seriously after the Iraq fiasco. I am glad the dutch are investigating this since they are much more likely to be impartial compared to the Russians, Ukrainians or Americans.

I mean the propaganda regarding the plane crash is getting ridiculous. I read an article in the Voice of America that said that the Ukrainian Security Services claim that the pro Russian rebels were planning to shoot down a Russian plane to give Putin an excuse to attack the Ukraine (http://m.voanews.com/a/nato-ukraine…). Given what happened in Chechnya I wouldn't be surprised by that one bit.

But then there is this article form Malaysia saying that it was the Ukrainians who screwed up a false flag so as to give NATO a reason to help them (http://www.nst.com.my/node/20925) They mention some compelling evidence.

I dont know what to think anymore but I feel like there is a lot of lying going on.

toothpetard ▯ soberD ★ 3
08/18/14 11:46AM

Sometimes the only conclusion I allow myself to reach is that I'm wrong about my conclusions.

soberD ▯ toothpetard ★ 4
08/18/14 11:51AM

That's probably the wisest thing one can do. With all the propaganda out there its so very easy to choose a story that conforms best to your bias and accept it as truth.

rexcola Matthew Phelan

08/18/14 11:12AM

★ 3

What the fuck did I just read? This is Gawker Media! Get your logic and critical thinking out of here. Tylor Rogoway already proved without a doubt that the pro-russians downed that plane!

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