

To tell the truth

BY SIBEL EDMONDS & WILLIAM WEAVER

SUPREME COURT JUSTICE OLIVER WENDELL HOLMES once said that there are “half a dozen futures that seem to me equally probable, and among them is the possibility of civilization cutting its own throat.” The catalyst for such an outcome might very well be the bureaucratic impulse to hide incompetence, embarrassment, and abuse. Today, when a U.S. national security employee, intelligence official, or member of a law enforcement agency reports wrongdoing, he or she has virtually no protection against retaliation. They are confronted with a choice between career and conscience—for there is little in history to make them confident about their continued employment should they speak out against illegal dealings or activities that put us all at risk.

In the 1980s, CIA employee Richard Barlow discovered that Pakistan, with the blessing of the Reagan and Bush I administrations, was able to buy restricted nuclear technology-related items in the United States. Barlow also unmasked a coordinated attempt by the U.S. intelligence community to lie to Congress about Pakistan’s activities. The result? His security clearance was suspended, and he lost his job. The Reagan and Bush I administrations covered up Barlow’s discoveries because, at the time, they needed Pakistan’s help to fund and supply the Afghans in their bloody fight with the Soviets.

This was not merely a problem restricted to the presidencies of that era. The then-Democratically controlled Congress steadfastly refused to address the dangerous issues that Barlow raised and was only too happy to try to move them out of the public eye. We are now paying the price for this shortsightedness—what Barlow had discovered was an early incarnation of physicist Abdul Qadeer Khan’s illegal, international nuclear proliferation network. Khan, known as the father of Pakistan’s nuclear weapons program, has been under house arrest since February 2004. In October

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2005, President George W. Bush declared that “The United States . . . has exposed and disrupted a major black-market operation in nuclear technology led by A. Q. Khan.” But that disruption should have come nearly 20 years ago, when Barlow first raised the alarm. Khan’s underground network could have been halted before he leaked nuclear secrets to Iran, Libya, and North Korea.

In light of what happened to Barlow, is it likely that anyone would come forward in similar circumstances now? His case is hardly unique, a fact attested to by the very existence of our organization, the National Security Whistleblowers Coalition. Our members include Lt. Col. Anthony Shaffer, who reported that Operation Able Danger had information on 9/11 terrorist Mohammed Atta’s cell well before the attacks. (Shaffer was subsequently labeled untrustworthy, in part because he admitted to taking government dime pens out of an embassy when he was a high school intern, and his security clearance was revoked.) And then there’s Sandalio Gonzalez, a 32-year law enforcement agent, who was forced into retirement for questioning—in an internal memorandum—the federal government’s complicity in up to 15 murders in Mexico.

Bureaucrats are playing ducks and drakes with our lives. It is crucial to take measures to prevent retaliation against whistleblowers and to encourage accountability within national security agencies. Retaliation against whistleblowers should be criminalized. The precedent for such legislation already exists, in that the judicial system prosecutes people for obstruction of justice and for witness tampering. To further safeguard the rights of conscientious federal employees, agencies and administrators who retaliate against whistleblowers should be made liable for civil damages, much as they are presently liable for damages in the event of racial or sexual discrimination. And, in order to obviate the painful choice between career and conscience, employees terminated or punitively reassigned for reporting wrongdoing should be awarded their full retirement as if they had continued on in employment. When national security employees charged with securing the well-being of the nation feel confident in reporting malfeasance, the nation as a whole will be much safer. ✽