OMNI NEWSLETTER #4 ON WHISTLEBLOWERS, FOR A CULTURE OF PEACE, September 12, 2012, Compiled by Dick Bennett for a Culture of Peace and Justice (#1 Oct. 21, 2011; #2 Dec. 12, 2011; #3 January 31, 2012).

OMNI’s endowed fund at UA’s Mullins Library for the purchase of books and films on Victims includes books and films on corporations and on resistance to US Imperialism Abroad and Repression at Home—including whistleblowers and investigative reporters.

My blog: It's the War Department
http://jamesrichardbennett.blogspot.com/

Newsletters:
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GAP: Government Accountability Project

National Whistleblowers Center

Employment Law Group

FDA Illegal Surveillance of Whistleblowers

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Hedges: Obama versus Whistleblowers

Public Citizen

NSA

Misc. via Google

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Government Accountability Project
The latest number of *Bridging the Gap* (Autumn 2012), protecting corporate, government, and international whistleblowers since 1977 contains reports on John Kiriakou, a CIA-Torture Whistleblower, Thomas Drake, a former NSA analyst who exposed fraud and other abuses in the agency, a case at the UN, problems in Spain, unsafe chickens and whistleblowers, and keeping an eye on Monsanto.  [www.whistleblower.org](http://www.whistleblower.org)  (Dick)

**The War on Whistleblowers**

David Sirota, Op-Ed, NationofChange, June 9, 2012: This, of course, is part of a broader campaign against those who are courageously exposing illegality. As former Foreign Service officer Peter Van Buren reports, the federal government is now targeting whistleblowers for recrimination, with "the number of cases (against whistleblowers) suggest(ing) an organized strategy to deprive Americans of knowledge of the more disreputable things that their government does."  [READ | DISCUSS | SHARE http://www.nationofchange.org/war-whistleblowers-1339250604](http://www.nationofchange.org/war-whistleblowers-1339250604)

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**JOHN KIRIAKOU**


"CIA-Torture Whistleblower Faces Decades in Prison."

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   Jul 6, 2012 – ... has accused a former CIA agent and torture whistleblower, John ...  
   Thus, Fitzgerald demanded a 30-year prison term for Kiriakou, but he had ...  
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   The Truth About the Espionage Act Prosecution Against Whistleblower John Kiriakou ...  
   Helped expose CIA's torture program as policy rather than playtime ( 2009/The ...  
   But John Kiriakou is facing decades in prison for helping expose torture. .... should continue even when her husband faces charges that he breached his ...  
3.  [Obama Indicts Sixth Whistleblower Under the Espionage Act ... www.whistleblower.org/.../1893-obama-indicts-sixth-whistleblower-u...Cached](http://www.whistleblower.org/.../1893-obama-indicts-sixth-whistleblower-u...Cached)
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   Apr 5, 2012 – But John Kiriakou is facing decades in prison for helping expose torture. The fact that national security whistleblowers have become the ...  
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   Apr 30, 2012 – Yesterday's 60 Minutes featured CIA rendition-supporter/torture ...... while torture whistleblower John Kiriakou faces decades in prison. My book ...  
5.  [Obama targets journalists - Salon.com](http://www.salon.com/2012/04/30/obama_indicts_code_of_conduct_whistleblower/)  

A former CIA officer has been arraigned on a 5 count indictment and faces 45 years for leaking the identities of CIA torture operatives to the tortured detainees.

The Obama administration continues it war against whistleblowers this time handing out a 5 count indictment to a former CIA officer who revealed the identities of CIA officers who tortured prisoners in Guantanamo Bay Cuba.

John Kiriakou is accused of leaking the classified information in his book *The Reluctant Spy: My Secret Life in the CIA’s War on Terror*

According to reports, the author followed state department guidelines and submitted the book to the CIA to review and was then given government approval to publish the book.
The government claims that the author said he fictionalized some parts of the book to spice up the story but it later turned out the details revealed were actually true.

Apparently reporters investigating on the United States torture of War on Terror detainees contacted Kiriakou about the details in the books who is then accused of revealing the identities of the CIA operatives who conducted the torture to the reporter.

The reporter then in turn is said to have revealed the identities to the torture victims legal defense team and who in turn supplied the torture victims with photos of the torturers.

When torture prison officials found the photos in the inmates cells and investigation was launched into how the torturers identities had been leaked.

Under Obama 6 other whistleblower been charge under the World War 1 era espionage laws which is more than any other administration in history.

CNN reports:

**Former CIA officer pleads not guilty to sharing classified info**

A former CIA officer entered a not guilty plea on Friday to charges he gave classified information to reporters and lied to a CIA review board about material in a book he wrote.

John Kiriakou was arraigned at U.S. District Court in Alexandria, Virginia, on a five-count indictment and his trial is scheduled to begin November 26.

The charges against him include three counts under the Espionage Act alleging Kiriakou revealed national defense information to individuals not authorized to receive it - namely reporters. One count charges Kiriakou violated the Intelligence Identities Protection Act in 2008 by identifying a covert agent referred to as Officer A in the indictment.

Kiriakou also is accused of revealing to reporters the name and contact information of an analyst known as Officer B, who was involved in the 2002 operation which resulted in the capture of alleged al Qaeda terrorist Abu Zubaydah. Zubaydah is one of three detainees the CIA later admitted waterboarding during interrogations. A government report revealed the simulated drowning technique was used on him 83 times. Zubaydah has yet to be charged by the U.S. government and is incarcerated at Guantanamo Bay, Cuba.

A CIA review board goes over all books and other writings by former or current CIA employees to guard against any disclosure of classified material.

Kiriakou worked for the CIA from 1990 to 2004. He and a co-author wrote a book called “The Reluctant Spy: My Secret Life in the CIA’s War on Terror.” According to the indictment, Kiriakou lied when he submitted a draft of the manuscript to the CIA in 2008 and claimed an investigative technique discussed in the book was fabricated.

[...]

Kiriakou was indicted April 5. The Justice Department said the charges resulted from an investigation into how pictures of U.S. employees and contractors ended up in the cells of high-
value detainees at Guantanamo bay. Kiriakou allegedly revealed information to a reporter who passed it on to an investigator for the detainees’ defense team.

According to the Justice Department, the defense team then obtained surveillance photos of government employees. Those pictures were given to detainees to see if they could identify people involved or present at the time of their interrogations.

[...] The former CIA officer and his lawyers refused to answer reporters’ questions after the hearing. Kiriakou faces a maximum of 45 years in prison if convicted on all charges.

Source: CNN

Source: Torture Whistleblower Charged With Espionage ©

Pentagon Failed to Protect Whistleblowers

Aaron Mehta and Jeffery Smith, News Report, NationofChange, May 6, 2012: “In February, a report by the Government Accountability Office said that the reprisal investigators routinely took too long to respond to complaints, exceeding a 180-day deadline 70 percent of the time; the mean processing time was instead 451 days. It also said that investigators frequently used unreliable and incomplete data and case files, and concluded that only 5 percent of closed case files were actually ‘complete.’ Records of testimony by complainants were missing from more than half of the files studied.”

March 12, 2012 “Supreme Court Likely to Endorse Obama's War on Whistle-Blowers,” By Chris Hedges. What we will live under if the Supreme Court upholds the use of the Espionage Act to punish those who expose war crimes and state lies will be a species of corporate fascism. And this closed society is, perhaps, only a few weeks or months away. This article cross-posted from Truthdig Totalitarian systems dis-empower an unsuspecting population by gradually making legal what was once illegal. They incrementally corrupt and distort law to exclusively serve the goals of the inner sanctums of power and strip protection from the citizen. Law soon becomes the primary tool to advance the crimes of the elite and punish those who tell the truth. The state saturates the airwaves with official propaganda to replace news. Fear, and finally terror, creates an intellectual and moral void. We have very little space left to maneuver. The iron doors of the corporate state are slamming shut. And a conviction of Bradley Manning, or any of the five others charged by the Obama administration under the Espionage Act of 1917 with passing government secrets to the press, would effectively terminate public knowledge of the internal workings of the corporate state. What we live under cannot be called democracy. What we will live under if the Supreme Court upholds the use of the Espionage Act to punish those who expose war crimes and state lies will be a species of corporate fascism. And this closed society is, perhaps, only a few weeks or months away. Few other Americans are as acutely aware of our descent into corporate totalitarianism as Daniel Ellsberg, who leaked the Pentagon Papers in 1971 to The New York Times and is one of Manning’s most ardent and vocal defenders. Ellsberg, who was
charged under the Espionage Act, faced 12 felony counts and a possible sentence of 115 years. He says that if he provided the Pentagon Papers today to news organizations, he would most likely never see his case dismissed on grounds of government misconduct against him as it was in 1973. The government tactics employed to discredit Ellsberg, which included burglarizing his psychoanalyst's office and illegal wiretaps, were subjects of the impeachment hearings against President Richard Nixon. But that was then. "Everything that Richard Nixon did to me, for which he faced impeachment and prosecution, which led to his resignation, is now legal under the Patriot Act, the FISA [Foreign Intelligence Surveillance Act] amendment act, the National Defense Authorization Act," Ellsberg told me late Friday afternoon when we met in Princeton, N.J. Manning, whose trial is likely to begin in early August, is being held in a medium-security facility at Fort Leavenworth, Kansas. He allegedly gave WikiLeaks more than 700,000 documents and video clips. One clip showed the 2007 Apache helicopter attack in which U.S. military personnel killed more than a dozen people in the Iraqi suburb of New Baghdad, including a Reuters news photographer and his driver. Manning faces 22 charges under the Espionage Act, including aiding the enemy, wrongfully causing intelligence to be published on the Internet, theft of public property or records, transmitting defense information, and fraud and related activity in connection with computers. If he is found guilty he could spend the rest of his life in prison without the possibility of parole. Juan Ernesto Mendez, the U.N. torture rapporteur, has described Manning's treatment by the U.S. government as "cruel, inhuman and degrading," especially "the excessive and prolonged isolation he was put in during the eight months he was in Quantico." The Espionage Act was used only three times before President Barack Obama took office. Ellsberg's case was dismissed. The second use of the act saw Alfred Zehe, a German physicist, plead guilty to giving U.S. information to East Germany. The third case saw Samuel Morison, a one-time U.S. intelligence professional, convicted in federal court on two counts of espionage and two counts of theft of government property. He was sentenced to two years in prison on Dec. 4, 1985, for giving classified information to the press, and in 1988 the Supreme Court declined to hear his appeal. President Bill Clinton pardoned Morison on the last day of his presidency. Obama, who serves the interests of the surveillance and security state with even more fervor than did George W. Bush, has used the Espionage Act to charge suspected leakers six times since he took office. The latest to be charged by the Obama administration under the act is John Kiriakou, a former CIA officer accused of disclosing classified information to journalists about the interrogation of Abu Zubaydah, an al-Qaida suspect. Julian Assange, the founder of WikiLeaks, which published the cables and video clips allegedly provided by Manning, is expected to be the seventh charged under the act. The Supreme Court has yet to hear a case involving the Espionage Act. But one of these six cases will probably soon reach the court. If it, as expected, rules that the government is permitted to use the Espionage Act against whistle-blowers, the United States will have a de facto official secrets act. A ruling in favor of the government would instantly criminalize all disclosures of classified information to the public. It would shut down one of the most important functions of the press. And at that point any challenges to the official versions of events would dry up. The Obama administration, to make matters worse, has mounted a war not only against those who leak information but those who publish it, including Assange. The Obama administration is attempting to force New York Times reporter James Risen to name the source, or sources, that told him about a failed effort by the Central Intelligence Agency to sabotage Iran's nuclear program. Jeffrey Sterling, a former CIA officer, is charged under the Espionage Act for allegedly leaking information about the program to Risen. If Risen confirms in court that Sterling was his source, Sterling probably will be convicted. A Supreme Court ruling in favor of the Espionage Act would also remove the legal protection that traditionally
allows journalists to refuse to reveal their sources. "Unauthorized disclosures are the lifeblood of the republic," Ellsberg said. "You cannot have a meaningful democracy where the public only has authorized disclosures from the government. If they [officials] get control, if they can prosecute anybody who violates that, you are kidding yourself if you think you have any kind of democratic control over foreign policy, national security and homeland security. We don't have a democracy now in foreign affairs and national security. We have a monarchy tempered by leaks. Cut off the leaks and we don't even have that." The WikiLeaks disclosures -- the first in 40 years to approach the scale of the Pentagon Papers -- may, if Obama has his way, be our last look into the corrupt heart of empire. Those who have access to information that exposes the lies of the state will, if the Espionage Act becomes the vehicle to halt unauthorized disclosures, not only risk their careers by providing information that challenges the official version of events but almost certainly be assured of life sentences in prison. Ellsberg has called on those with security clearances to release the modern version of the Pentagon Papers about the Iraq and Afghanistan wars. He said his only regret was that he did not leak the Pentagon Papers earlier. If the documents had been published in August 1964, he said, rather than 1971, he would have exposed the lie that the North Vietnamese had made an "unequivocal, unprovoked" attack on U.S. destroyers in the Tonkin Gulf. The fabricated attack was used by President Lyndon Johnson to get Congress to pass the Tonkin Gulf Resolution, which authorized the administration to escalate the war. Ellsberg said that there were intelligence officials who in 2002 could have exposed the lies used by the Bush administration to plunge us into a war with Iraq. The failure of these officials to release this evidence has resulted in the deaths of, and injury to, thousands of U.S. soldiers and Marines, along with hundreds of thousands of civilians. "Had I or one of the scores of other officials who had the same high-level information acted then on our oath of office -- which was not an oath to obey the president, nor to keep the secret that he was violating his own sworn obligations, but solely an oath to support and defend the Constitution of the United States -- that terrible war [the Vietnam War] might well have been averted altogether," Ellsberg said. "But to hope to have that effect, we would have needed to disclose the documents when they were current, before the escalation -- not five or seven, or even two years after the fateful commitments had been made."

"Don't do what I did," he cautioned. "Don't wait until a new war has started in Iran, until more bombs have fallen in Afghanistan, in Pakistan, Libya, Iraq or Yemen. Don't wait until thousands more have died before you go to the press and to Congress to tell the truth with documents that reveal lies or crimes or internal projections of costs and dangers. Don't wait 40 years for it to be declassified, or seven years as I did for you or someone else to leak it." The courage of an Ellsberg or a Manning is rare. It will become even more so in a state where the law is used as a vehicle to protect those who carry out war crimes and to imprison patriots for life. If the Supreme Court rules in favor of the government on any of these six cases, it will invert the law and plunge us into totalitarian darkness.

Obama, a constitutional lawyer, has a far better grasp of the dramatic erosion of civil liberties his administration is cementing into place than his hapless predecessor. Obama, however, dissembles with an icy cynicism. He assured the public in January that the National Defense Authorization Act (NDAA) would not be used to detain and hold American citizens without due process, although the act's latest version, which became law this month, clearly states the opposite. And Ellsberg, along with Noam Chomsky and other activists, has joined me as a plaintiff in suing the president and Secretary of Defense Leon Panetta over the NDAA. We are scheduled to appear in the U.S. District Court for the Southern District of New York on March 29. When Obama was questioned in 2011 about the difference between the release of the Pentagon Papers and the cables turned over to WikiLeaks he answered: "Ellsberg's material was classified on a different basis."

"That's true," Ellsberg said ruefully in our conversation last
week. "Mine were top secret. The cables released in WikiLeaks were secret."

Submitters **Bio:** Chris Hedges spent nearly two decades as a foreign correspondent in Central America, the Middle East, Africa and the Balkans. He has reported from more than 50 countries and has worked for The Christian Science Monitor, National Public Radio, The Dallas Morning News and The New York Times, for which he was a foreign correspondent for 15 years. Hedges was part of the team of reporters at The New York Times awarded a Pulitzer Prize in 2002 for the paper's coverage of global terrorism. He also received the Amnesty International Global Award for Human Rights Journalism in 2002. The Los Angeles Press Club honored Hedges' original columns in Truthdig by naming the author the Online Journalist of the Year in 2009, and granted him the Best Online Column award in 2010 for his Truthdig essay "One Day We'll All Be Terrorists." Hedges is a senior fellow at The Nation Institute in New York City and has taught at Columbia University, New York University and Princeton University.

**WHISTLEBLOWERS AND PUBLIC CITIZEN**


Dr. Sidney Wolfe: “The bravery of those whistle-blowers is critical to our work.”

**WHISTLEBLOWER INSIDE THE NSA**

Timothy Vaslett tvaslett@yahoo.com via uark.edu

4-20-12

Today's *Democracy Now* focus on the NSA with one of the top insider whistle blowers and others who reveal the real goings on with the totalitarian security state. It has become all too clear, especially when you listen to the stories on this program, that it is not and has not been about terrorism. It is about consolidation of power and control over every aspect of our lives and against all dissent against the movement in this direction. It's breathtaking how rapidly the clampdown is moving ahead. Here is the link:

[http://www.democracynow.org/](http://www.democracynow.org/)

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In his first television interview since he resigned from the National Security Agency over its domestic surveillance program, William Binney discusses the NSA’s massive power to spy on Americans and why the FBI raided his home after he became a whistleblower. Binney was a key source for investigative journalist James Bamford’s recent exposé in Wired Magazine about how the NSA is quietly building the largest spy center in the country in Bluffdale, Utah. The Utah spy center will contain near-bottomless databases to store all forms of communication collected by the agency, including private emails, cell phone calls, Google searches and other personal data.

Binney served in the NSA for over 30 years, including a time as technical director of the NSA’s World Geopolitical and Military Analysis Reporting Group. Since retiring from the NSA in 2001, he has warned that the NSA’s data-mining program has become so vast that it could "create an Orwellian state." Today marks the first time Binney has spoken on national television about NSA surveillance. 

This interview is part of a 4-part special. Click here to see segment 2, 3, and 4. [includes rush transcript]

Filed under  Domestic Spying, Domestic Surveillance, Whistleblowers

Guest:
William Binney, served in the NSA for over 30 years, including a time as director of the NSA’s World Geopolitical and Military Analysis Reporting Group. Since retiring from the NSA in 2001, he has warned that the NSA’s data-mining program has become so vast that it could "create an Orwellian state."

Investigated, and What’s the Law on Leaks?

Cora Currier, News Investigation, NationofChange, July 3, 2012: “Recent scoops on national security have drawn the ire of Republican lawmakers, who have accused the Obama White House of leaking stories that burnish its image. Obama responded that he has ‘zero tolerance’ for leaks. He also said: ‘the writers of these articles have all stated unequivocally that they didn’t come from this White House. And that’s not how we operate.’’” READ | DISCUSS | SHARE

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   Oct 12, 2011 – WikiLeaks changes that balance of power.” — Sherron Watkins, on how websites can help fellow whistle-blowers shed light on abuses ...

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