

Killing the Messengers

**An OpEdNews.com Article and
A Blog Entry in Comments From Left Field & GordonTalk**

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Are we safe? We are safer—no terrorist attacks have occurred inside the United States since 9/11—but we are not as safe as we need to be. ... There are far too many C's, D's, and F's in the report card we will issue today. ... Our leadership is distracted. Some of these failures are shocking. ... We are frustrated by the lack of urgency about fixing these problems. Bin Ladin and al Qaeda believe it is their duty to kill as many Americans as possible. This very day they are plotting to do us harm. On 9/11 they killed nearly 3,000 of our fellow citizens. ... We should not need another wake-up call. ... While the terrorists are learning and adapting, our government is still moving at a crawl.

—[Remarks by Chairman Thomas H. Kean and Vice Chair Lee H. Hamilton, Final Report of the Bi-Partisan 9/11 Public Discourse Project, December 5, 2005](#)

"Moving at a crawl": if only it were so passive, so benign. But it isn't. In a growing number of incidents that should make any red-blooded American's red blood boil, this administration has at the very least fostered a general climate in

which a paranoid lust for power has trumped a sober love of country.

Sometimes it seems like the executive branch of our government is cracking down more on whistleblowers who expose our shortcomings in the war on terror (and I don't refer to that self-fulfilling prophesy and orgy of violence in Iraq) than on the terrorists themselves.

And that can make us only less—not more—secure.

Allow me to cite two of the most outrageous, well-documented cases out of many, involving not wild-eyed radicals but seasoned professionals of the law enforcement community whose warnings were disregarded and whose careers were trashed in this pattern of abuse of executive power; then let us briefly consider the shocking state of affairs for whistleblowers in general.

Lies come cheap, the stuff of cowards; truth is priceless, the soul of heroes.

The Honest Chief

The first dedicated law enforcement officer I would like to mention, with unreserved respect,

who suffered and still suffers a grave injustice for daring to speak the truth—about very real, unaddressed terrorist threats—is [Ms. Teresa Chambers, former Chief of the U.S. Park Police](#).

On November 20, 2003, after nearly two years of sterling service as the first female chief of the oldest uniformed law enforcement agency of the federal government, Chief Chambers was interviewed by David A. Fahrenthold, of the *Washington Post*, about the needs of her organization. Such public relations work had always been part of her job; the reporter already had much of the factual basis of the story from public accounts and a previous interview with a labor representative of the U.S. Park Police Fraternal Order of Police; and immediately following the interview, Chief Chambers would notify her chain of command as to the nature of her remarks for [the article](#), which would appear in print on December 2, 2003. Upon instruction from the Department of the Interior, which oversees the National Park Service, she would serve as sole spokesperson on this issue, as in radio and television interviews that followed. In all this, Chief Chambers' remarks were by all accounts truthful and consistent, accurately reflecting what she also communicated during this period to her appropriate contact in Congress, the staff director of the Interior Appropriations Subcommittee, [and, upon request, to the Director of the National Park Service, Ms. Fran Mainella](#):

[The 2005 budget] does not provide funding for hiring during that fiscal year, which could potentially bring our sworn staffing to its lowest point since

1987 and more than 250 officers below the level recommended by the Director of the National Park Service in his report to Congress in March 2000—one and one-half years before the horrific events of September 11, 2001, that tremendously increased the staffing needs of law enforcement agencies across the country.

Given our current lack of adequate staffing, I must alert you that the National Park Service's ability to protect these precious historical icons—the Statue of Liberty, the White House, the Washington Monument, the Lincoln Memorial, the Jefferson Memorial, the grounds that support the Golden Gate Bridge—or our guests who visit them is increasingly compromised. The continuing threat to the future of these American symbols becomes even more acute with any additional loss of personnel. My professional judgment, based upon 27 years of police service, six years as Chief of police, and countless interactions with police professionals across the country, is that we are at a staffing and resource crisis in the United States Park Police—a crisis that, if allowed to continue, will almost surely result in the loss of life or the destruction of one of our nation's most valued symbols of freedom and democracy.

(And I might add, this is what happens to homeland security when you play Santa for Iraq, Scrooge for the U.S.)

Very shortly after her interview with the *Washington Post* reporter, Chief Chambers informed her immediate superior, NPS Deputy Director Donald Murphy, of what she had said; and he reassured her it was "no big deal."

But it would soon become a very big deal, for Chief Chambers, the National Park Service, and all of us who value our security and liberty.

Within a week, Mr. Murphy was throwing tantrums in meetings blaming Chief Chambers (not present) for the funding woes, even though by all accounts she had always managed her force efficiently and cooperated fully in the budgetary process. Once Chief Chambers got wind of this, from others who were present (and shocked), she filed a complaint with his boss, Director Mainella, who assured Chief Chambers that she had spoken to him about his inappropriate behavior.

Because this wasn't the first time Mr. Murphy had, in Chief Chambers' words, "impugned" her character and "slandered" her, she had delivered to Director Mainella [a formal, written complaint](#), on the afternoon of December 2, 2003.

A few hours later, Mr. Murphy left voice-mail and sent e-mail to Chief Chambers issuing an apparently illegal gag order, ordering her to not speak to the media on any topic, anymore. He also told her to attend a meeting with him and

Director Mainella later that week, to discuss "general United States Park Police issues."

After several days of getting rather strange looks and responses from her colleagues, Chief Chambers arrived in the headquarters of the National Park Service with her Assistant Chief. Mr. Murphy greeted them, then entered his office. Three armed agents and an attorney arrived; the attorney and one of the agents entered Murphy's office; the other two agents flanked the door, to stand guard. Chief Chambers was summoned in; her Assistant Chief was told to remain outside.

Director Mainella was nowhere to be seen. Murphy said she would not be coming and Chambers couldn't see her. He then handed Chief Chambers a memo: With absolutely no forewarning—with no chance to bring an attorney of her own—and with no specific charges leveled against her, Chief Chambers was told that she was being put on indefinite administrative leave.

On December 5, 2003—25 years to the day since she had first received a badge, with the Prince George's County Police—Teresa Chambers was stripped of her gun and her badge, as Chief of the U.S. Park Police.

Then—like some disgraced law enforcement officer accused of a crime—she was paraded by the armed special NPS agents in front of her colleagues and in front of the media back to her office, where she turned in her communications devices but from which she had been told by Murphy there would be no need to take her

personal belongings (which she would not be allowed to retrieve until many months later).

She was left to find her own way home, in uniform and unarmed but by now well known: She might as well have had a target painted on her back.

One week later, legal representatives of the NPS met Chambers in "a secret location" to offer her a deal: If she would agree to let Deputy Director Murphy screen all her contacts with the media and the Congress from then on, and if she would transfer another outspoken colleague, the charges against her—still unspecified—would be dropped. But because to "cooperate" would have meant gutting the independence and power of her office as Chief, by accepting what she felt to be illegal restrictions on her First Amendment right to free speech and her right to contact Congress, as well as committing the undoubtedly illegal act of transferring another whistleblower, Chief Chambers refused the deal in no uncertain terms.

As Jeff [Ruch, Executive Director of PEER](#) (Public Employees for Environmental Responsibility), a respected organization now part of the Chambers defense team, put it, "One day Don Murphy says these allegations are so serious that termination is the only recourse while he was really saying that all would be forgiven if Teresa Chambers would agree to kiss his ring."

Within a week, Chief Chambers received a letter from the NPS informing her of their intent to

remove her from federal service and (for the first time) detailing six formal charges against her.

What may well be six of the most trumped-up charges ever to be filed. In a later deposition, even Murphy himself could not cite specific rules or laws that applied to many of the alleged violations; and in those few instances where he could quote chapter and verse from federal regulations, [it was a stretch to say the least to make them fit the facts of this case.](#)

By most independent accounts, Ms. Chambers as Chief did nothing improper, nothing that others in her position had not done; indeed, Mr. Murphy and Ms. Mainella were apparently "guilty" of two of the alleged offenses themselves: speaking to the press about the funding shortfalls of the NPS and publicly mentioning how many U.S. Park Police officers were stationed at certain national monuments.

But the legal battle had begun. Two of the charges were thrown out by the administrative judge in an initial hearing before the Merit Systems Protection Board, an appeals panel for the personnel issues of federal employees; but as of today—two years after being "ambushed" out of service (during which time a new chief has been named)—four of the charges still hang over her head, there being no timeframe specified for a response from the MSPB to her formal appeal, after which, if charges remain, she and her supporters are prepared to fight on, in the federal court system.

And not simply on the defensive but also on the offensive: According to the Chambers legal team and most outside observers, the actions taken by

the National Park Service constitute a blatant violation of the federal Whistleblower Protection Act, protecting employees who reasonably disclose "a substantial and specific danger to public health or safety."

But apparently such "niceties" as keeping Lady Liberty and her visitors safe in New York Harbor are less important to this administration than seeing to it that any and all critics are silenced. And by tactics that are unethical at least, illegal at most. For example, a glowing performance review of Chief Chambers—that had been written by none other than Deputy Director Murphy just before all the controversy arose—was withheld for months by the NPS; then it mysteriously disappeared; and then, after denials by the NPS that it even existed in the first place, it just as mysteriously reappeared when the Chambers legal team filed suit in federal court. However, over nine months later, it has yet to be turned over!

If you are as outraged as I am by this egregious abuse of power—attempting to destroy the reputation and livelihood of a dedicated public servant as well as compromising our homeland security (Subsequent reports have confirmed what Chief Chambers had warned, that the security for our much-treasured, much-visited national monuments is woefully inadequate)—then I hope you will learn more about this case on the Web site created by Ms. Chambers' faithful husband, retired from law enforcement, <http://www.honestchief.com>. There you may read (or read of) the many news reports, including great series in the *Washington Post* and by Timothy Noah in *MSN Slate*;

commentaries, as by CBS News' Bob Schieffer and the dean of television anchorpersons, Walter Cronkite; an audio library of her radio and television interviews across the country; lists of supporters, including senators and members of Congress; [a petition](#) you may sign, anonymously, with a comment of your own; and [a link to the defense fund](#) established by PEER to help cover her enormous (and growing) legal bills, taking on what at times must seem like the entire federal government.

In our correspondence for this article, I asked Ms. Chambers what she was doing now. She replied: "I'm here ... at the computer fighting my case *every* day. To keep the pressure on and to help assist my attorneys in their exceptional representation, my husband and I each spend an average of 12 and 16 hours a day working on this case. This is what we do—this is our job."

Hopefully, she will one day be rightfully reinstated in her job as Chief of her beloved U.S. Park Police; but even now, Teresa Chambers is going above and beyond the call of duty to perform a vital service not only for her own career but also for our nation as a whole: Those who would intimidate and silence would-be whistleblowers must not be allowed to succeed, particularly when the very security of America is at stake.

A Very Special Special Agent

[Mike German](#) loved the FBI; to his credit, he still does, even though certain members of its leadership drove him out for telling the truth.

One of the specialties of this special agent was infiltrating groups of militias, skinheads, and other homegrown terrorists. In 2002 Agent German was called upon by the Tampa, Florida, office to take part in an undercover investigation to determine if a money-laundering operation, perhaps funded by a drug ring, was funneling money to terrorists overseas. Although the lead would eventually prove to be false, at the time it seemed promising to the agents involved.

But as months passed, problems amassed. Leads were not followed, meetings with informants were not documented, laws governing wiretaps were not obeyed. Ever the professional, Agent German alerted his supervisors that the case was being "seriously mishandled."

But the supervisors took no timely corrective action. In fact, about the only "corrective action" that seems to have been taken was the backdating of documents ("White Out" was one weapon of choice in this assault on the truth).

As the violations of policy and law became more blatant, Agent German became more outspoken; in 2003 he e-mailed his complaints to the Director of the FBI, Robert S. Mueller III, who has a reputation of supporting honest whistleblowers.

But instead of being hailed as a hero, Agent German became shunned as a pariah, by agents from Florida to Oregon and Washington, D.C. Perhaps most devastating to his career, Agent German was shut out of prized undercover teaching assignments by the head of the FBI undercover unit, who told another agent that

German would "never work another undercover case."

Although the bulk of his claims have been substantiated in a recent report by the inspector general of the Department of Justice, Agent German is no longer with the FBI. In an interview, he has said: "I still love the FBI. And I know that there are good, honest, hard-working agents out there trying to do the right thing; and this hurts all of them."

Senator Charles E. Grassley (R-Iowa) has stated: "Unfortunately, this is just another case in a long line of FBI whistleblowers who have had their careers derailed because the FBI couldn't tolerate criticism."

And since 9/11, many of these cases of retaliation have involved federal investigations into suspected terrorist operations (which sounds ever so much like what happened to Valerie Plame, [now leaving the CIA](#)).

Silencing Whistleblowers in General

Consider this report, released the same day as the *9/11 Commission Report* above (December 5, 2005) by PEER:

[WHISTLEBLOWERS GET NO HELP FROM BUSH ADMINISTRATION](#) —

Record Numbers Are Blowing the Whistle but Fewer Cases Investigated

Washington, D.C. — The U.S. Office of Special Counsel, the agency that is supposed to protect federal employees

who blow the whistle on waste, fraud, and abuse, is dismissing hundreds of cases while advancing almost none. ...

Despite record numbers of federal employees filing whistleblower disclosures and complaints of retaliation, there are fewer investigations and a much greater likelihood that those who blow the whistle will be silenced.

Scott Bloch, the Bush appointed Special Counsel, has been in office for nearly two years, during which time positive results for whistleblowers have plummeted. ...

"With Scott Bloch at the helm, the Office of Special Counsel is acting as a Plumber's Unit for the Bush administration, plugging leaks, blocking investigations and discrediting sources," stated PEER Executive Director Jeff Ruch. "Under Bloch, political appointees, not civil servants, decide which cases go forward and which cases are round filed."

Given the importance of whistleblowers to the modern history of our country—everyone from [Deep Throat](#) to [the 2002 Time magazine "Persons of the Year"](#) (Cynthia Cooper, of WorldCom; Sherron Watkins, of Enron; and Coleen Rowley, whose warnings to her superiors in the FBI about the presumed "20th Hijacker" of 9/11 fell on deaf ears)—the prosecutions and persecutions of whistleblowers by this

administration is absolutely mortifying, yet not in the least surprising.

From [electoral results that defy all statistical probability](#) and journalists paid-off [in this country](#) and [in our "showcase democracy" overseas](#) to [intelligence and facts "fixed around the policy" of going to war](#) and [the first indictment of a sitting senior White House official since before Grant was in his tomb](#), this administration has demonstrated a consistent—some would say criminal—pattern of utter contempt for the truth; and in a democracy, that translates into utter contempt for every last one of us citizens (of every political persuasion) and for the very concept of America.

Moreover, suppressing those who blow the whistle on shortcomings in our fight against terrorism jeopardizes the very existence of America.

At least in the opinion of those of us who believe in the inestimable value as well as the inalienable right of free speech and a free press.