



Written by [Joe Wolverton, II, J.D.](#) on August 3, 2013

Obama Promise to Protect Whistleblowers Scrubbed From Website

Memory hole: a hole in a small chute leading to an incinerator. In George Orwell's *Nineteen Eighty-Four*, information — printed evidence of history — that contradicted the ruling party's official version of events from the past was sent down the memory hole.

Winston Smith, Orwell's *Nineteen Eighty-Four* protagonist, worked in the Ministry of Truth and typically, Smith would scour newspapers for articles that needed to be altered or destroyed to suit the administration's propaganda needs. The offending articles were "unceremoniously" sent down the funnel of forgetfulness.



Today, the minions at the Ministry of Truth apparently spend their days scrubbing inconvenient bytes of history from Big Brother's websites.

[Sunlight Foundation reports](#) that over the last month, the change.gov website created by the Obama presidential transition team in 2008 has "effectively disappeared."

Specifically, in its analysis, Sunlight noticed:

While the front splash page for Change.gov has linked to the main White House website for years, until recently, you could still continue on to see the [materials and agenda](#) laid out by the administration. This was a particularly helpful resource for those looking to compare Obama's performance in office against his [vision for reform](#), laid out in detail on Change.gov.

That all changed on June 8. What might have motivated the minions to erase part of Change.gov and shove some of that five-year-old data down the memory hole?

Sunlight suggests that this artifact from the website might hold the key:

Protect Whistleblowers: Often the best source of information about waste, fraud, and abuse in government is an existing government employee committed to public integrity and willing to speak out. Such acts of courage and patriotism, which can sometimes save lives and often save taxpayer dollars, should be encouraged rather than stifled. We need to empower federal employees as watchdogs of wrongdoing and partners in performance. Barack Obama will strengthen whistleblower laws to protect federal workers who expose waste, fraud, and abuse of authority in government. Obama will ensure that federal agencies expedite the process for reviewing whistleblower claims and whistleblowers have full access to courts and due process.

That part about whistleblowing being "acts of courage and patriotism" probably doesn't sit well with the president who has single-handedly prosecuted (and persecuted) more whistleblowers than any of his predecessors.

With the formal filing of the charges against NSA leaker Edward Snowden, the Obama administration



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has now charged eight whistleblowers under the Espionage Act.

Another former government employee, James Hitselberger, was working as a linguist for the U.S. Navy when he became the seventh to be charged under the nearly-century-old law.

President Obama has targeted each of these men — including Edward Snowden — for their efforts to expose government corruption. In fact, the others charged with espionage are targets of an apparent vendetta against whistleblowers in direct contradiction of the president's promise to protect them.

President Obama's zeal in pursuing, prosecuting, and punishing those he once described as courageous and patriotic is remarkable for its relentlessness.

Steven Aftergood, the director of the Federation of American Scientists' government secrecy project, is quoted in a story published by *Reason* magazine online, explaining, "The administration's aggressive pursuit of leaks represents a challenge to the practice of national security reporting, which depends on the availability of unauthorized sources if it is to produce something more than 'authorized' news."

This ferocity has come to the attention of others, as well. Speaking at a symposium on investigative reporting held in April 2012 at Berkeley, Edward Wasserman [powerfully chronicled](#) the chilling effect that the Obama administration's pursuit of whistleblowers is having on such disclosures and against the journalists who report them.

Wasserman, the Knight Professor of Journalism Ethics at Washington & Lee University, informed the audience, "[The Obama] Justice Department has conducted six prosecutions over leaks of classified information to reporters. Five involve the Espionage Act, a powerful law that had previously been used only four times since it was enacted in 1917 to prosecute spies."

The first whistleblower cited in Wasserman's address was Thomas Drake. Drake was a senior executive at the National Security Agency who made the mistake of revealing to the *Baltimore Sun* that the NSA's [Trailblazer Project](#) — a project intended to analyze data carried on in the United States and elsewhere through the Internet, cellphones, and e-mails — not only violated the Fourth Amendment's proscription against unwarranted searches and seizures, but it was a "billion-dollar computer boondoggle."

In April 2010, Drake was indicted by a federal grand jury of several crimes, including violation of the Espionage Act. A spokesperson for the Government Accountability Project [reported that the government's prosecution of Drake left him devastated](#). "His intelligence career is over, his finances are drained and he is personally spent," said Jesselyn Radack.

Early in the summer of 2011, after several exposés ran in newspapers and on television, the Obama administration dropped all the charges against Drake in return for Drake's guilty plea to a misdemeanor of misusing NSA computers. Drake was sentenced to one year of probation and community service.

The second target of the government's attack on whistleblowers was Shamai Leibowitz, an FBI linguist who was eventually sentenced to 20 months in a federal prison for leaking documents to a blogger.

Leibowitz testified that he believed that the papers he transmitted while working for the FBI contained evidence of "violations of the law" including the illegal attempt by the embassy of Israel to influence American foreign policy.

In exchange for his guilty plea to one count of disclosure of classified information, Leibowitz agreed to never file petitions to look at documents related to his case and to "never disclose" any classified or sensitive information to which he had access while on contract with the FBI.



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Next on the list of those who believed (wrongly) that President Obama would keep his campaign promise to shield from prosecution those government employees brave enough to bring to light hidden abuses and waste is John Kiriakou.

Kiriakou was an agent with the Central Intelligence Agency (CIA) who was [indicted in 2012](#) by a federal grand jury for disclosing to reporters the name of another CIA asset who was tasked with interrogating alleged al-Qaeda financier Abu Zubaydah.

The indictment included one charge of making false statements, which carries a maximum five-year prison sentence, and four counts of violating federal law, including the Espionage Act — an offense punishable by up to 10 years in a federal prison.

In October, Kiriakou [pleaded guilty](#) to violating the Intelligence Identities Protection Act and will [serve up to 30 months in a federal prison](#).

Supporters of the president may wonder why he didn't think this through a little better and provide the whistleblowers with the protection he promised rather than seek to silence the journalists who break the stories given them by these well-informed sources.

The answer to that question was given in [a comment made "rather gloatingly"](#) by "a national security representative" to Lucy Dalglish, dean of the University of Maryland College of Journalism and former executive director of the Reporters Committee for Freedom of the Press: "We're not going to subpoena reporters in the future. We don't need to. We know who you're talking to."

Given the recent revelations of the expansion of the size and power of the surveillance state, it is certain that President Obama's minion's statement is truer than we would like to believe.

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