

Written by Jesselyn Radack
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White House Press Secretary had an almost unbelievably lame non-response when [ABC's Jake Tapper asked](#)

how the Obama Administration squared lauding freedom of the press and internet freedom abroad while engaging in a record-setting campaign to silence "leakers" a.k.a. sources a.k.a. whistleblowers.

Carney refused to answer the questions, referred Tapper to the Justice Department, and said "I'm not making the assumption" that the Espionage Act prosecutions suppress whistleblowers. The Justice Department is using the prosecutions for exactly that purpose. In the now-failed case against National Security Agency (NSA) whistleblower [Thomas Drake](#), Justice Department prosecutor

[William Welch II](#)

requested a harsh sentence for Drake

[specifically](#)

to "send a message" to other Intelligence Community employees.

But speaking at the Conference on Internet Freedom at the Hague, Secretary of State Hillary Clinton [said](#) :

[T]he right to express one's views, practice one's faith, peacefully assemble with others to pursue political or social change – these are all rights to which all human beings are entitled, whether they choose to exercise them in a city square or an internet chat room.

Meanwhile, back in the U.S. the Justice Department is doggedly pursuing Espionage Act prosecutions against whistleblowers, thereby labeling them spies and traitors. Not to mention the State Department's retaliation against author [Peter Van Buren](#).

No wonder Carney had a difficult time explaining the glaring hypocrisy. For those who want the visual:

Want to take bets on whose White House press credentials will be yanked next? Or at least Tapper's seat in the front.

Note to White House's Jay Carney: Get Your Facts Straight - Government Accountability Project

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Carney also [bumbled](#) :

I — as for other cases, again, without addressing any specific case, I think that there are issues here that involve highly sensitive classified information,

The specific Espionage Act prosecution he must not have been talking about was the spectacularly failed case against NSA whistleblower Drake because the case against Drake involved Espionage Act charges based upon what George W. Bush administration classification czar J. William Leonard [called](#) the most "deliberate and willful example of government officials improperly classifying a document" he had ever seen.

Maybe we should take Carney's advice and ask the Justice Department, but DOJ's conflicting, confusing, and contradicting bluster about Drake offers no clarity.

The Justice Department's spin on its ungraceful nosedive in the Drake case was that dropping all the felony charges against Drake was needed to protect national security because the case was ["too classified to try."](#) Assistant Attorney General Lanny Breuer said in a [Justice Department press release](#)

:

*we must always strike the careful balance between holding accountable those who break our laws, while not disclosing highly-sensitive information that our intelligence agencies conclude **would be harmful to our nation's security***

□ if used at trial

That might make a marginal amount of sense, except that, [in April 2010](#), when Drake was indicted, AAG Breuer himself told us that going forward with the case against Drake using the Espionage Act was necessary to protect national security:

Our national security demands □ *that the sort of conduct alleged here . . . be prosecuted and*

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prosecuted vigorously.

Is this the sort of answer Carney wanted Tapper to seek from the Justice Department? Ockham's Razor provides an explanation for all of this confusion. The Obama administration touts freedom-promoting abroad and protecting whistleblowers at home, but the unprecedented Espionage Act prosecutions send the opposite message to potential whistleblowers. **There is no easy spin for "we're saying one thing and doing another."**

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