

# The Bigger Story Behind the AP Spying Scandal

By [Washington's Blog](#)

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## Attack on the Press

You know that the Department of Justice tapped scores of phone lines at the Associated Press.

You might have heard that the Attorney General of the United States [isn't sure how often reporters' records are seized](#).

You might have learned that the Department of Justice is prosecuting a whistleblower regarding North Korea ... as well as the [chief Washington correspondent for Fox News](#) who [reported on what the whistleblower told him](#). As the Washington Post [notes](#):

[Department of Justice investigators] used security badge access records to track the reporter's comings and goings from the State Department, according to a newly obtained court affidavit. They traced the timing of his calls with a State Department security adviser suspected of sharing the classified report. They obtained a search warrant for the reporter's personal e-mails.

You might have read that the Department of Justice Inspector General published a new report today saying that [former U.S. Attorney for Arizona Dennis Burke leaked a document intended to smear Operation Fast and Furious scandal whistleblower](#) John Dodson, concluding:

We believe this misconduct to be particularly egregious because of Burke's apparent effort to undermine the credibility of Dodson's significant public disclosures about the failures in Operation Fast and Furious. We further believe that the seriousness of Burke's actions are aggravated by the fact that they were taken within days after he told Deputy Attorney General Cole that he took responsibility for his office's earlier unauthorized disclosure of a document to The New York Times, and after Cole put him on notice that such disclosures should not occur. Burke also knew at the time of his disclosure of the Dodson memorandum that he was under investigation by OPR for his conduct in connection with the earlier disclosure to The New York Times. As a high-level Department official, Burke knew his obligations to abide by Department policies and his duty to follow the instructions of the Deputy Attorney General, who was Burke's immediate supervisor.

But there have been [many similar scandals](#) over the last couple of years. For example:

- The Pentagon recently smeared USA Today reporters because they [investigated illegal Pentagon propaganda](#)

- Reporters covering the Occupy protests were [targeted for arrest](#)
- The Bush White House worked hard to smear [CIA officers](#), [bloggers](#) and anyone else who criticized the Iraq war

After Pulitzer Prize winning journalist Chris Hedges, journalist Naomi Wolf, Pentagon Papers whistleblower Daniel Ellsberg and others sued the government to enjoin the NDAA's allowance of the indefinite detention of Americans – the judge asked the government attorneys *5 times* whether journalists like Hedges could be indefinitely detained simply for interviewing and then *writing about* bad guys. The government [refused to promise](#) that journalists like Hedges won't be thrown in a dungeon for the rest of their lives without any right to talk to a judge

- An al-Jazeera journalist – in no way connected to any terrorist group – was held at Guantánamo for *six years* ... so the U.S. could [find out about the Arabic news network](#). And see [this](#)
- Indeed, reporters who even speak with whistleblowers may be [treated as terrorists](#). And [see this](#)

In an effort to protect Bank of America from the threatened Wikileaks expose of the bank's wrongdoing, [the Department of Justice told Bank of America](#) to hire a specific hardball-playing law firm to assemble a team to take down WikiLeaks (and see [this](#)).

Wikileaks' head Julian Assange [could face the death penalty](#) for his heinous crime of leaking whistleblower information which make those in power uncomfortable ... i.e. [being a reporter](#).

But – whatever you think of Wikileaks – that was the canary in the coal mine in terms of going after reporters. Specifically, former attorney general Mukasey said the U.S. should prosecute Assange because it's ["easier" than prosecuting the New York Times](#).

Subsequently, Congress considered a bill which would [make even mainstream reporters liable](#) for [publishing leaked information](#).

Journalist and former constitutional lawyer Glenn Greenwald [notes](#) today:

The Washington Post's Karen Tumulty [says that "The alternative to 'conspiring' with leakers to get information: Just writing what the government tells you."]

That, of course, is precisely the point of the unprecedented Obama war on whistleblowers and press freedoms: to ensure that the only information the public can get is information that the Obama administration wants it to have. That's why Obama's one-side games with secrecy – we'll prolifically leak when it glorifies the president and severely punish all other kinds – is designed to construct the classic propaganda model. And it's good to see journalists finally speaking out in genuine outrage and concern about all of this.

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[Here's an amazing and revealing fact](#): after Richard Nixon lost the right to exercise prior restraint over the New York Times' publication of the Pentagon

Papers, he was desperate to punish and prosecute the responsible NYT reporter, Neil Sheehan. Thus, recounted the NYT's lawyer at the time, James Goodale, Nixon concocted a theory:

“Nixon convened a grand jury to indict the New York Times and its reporter, Neil Sheehan, for conspiracy to commit espionage . . . .The government's ‘conspiracy’ theory centered around how Sheehan got the Pentagon Papers in the first place. While Daniel Ellsberg had his own copy stored in his apartment in Cambridge, the government believed Ellsberg had given part of the papers to anti-war activists. It apparently theorized further that the activists had talked to Sheehan about publication in the Times, all of which it believed amounted to a conspiracy to violate the Espionage Act.”

As Goodale notes, this is exactly “the same charge Obama's Justice Department is investigating Assange under today,” and it's now exactly the same theory used to [formally brand Fox's James Rosen as a criminal in court](#).

Indeed, this is not a partisan issue. [Bush was worse than Nixon](#) on unlawful spying and harassment of reporters ... but [so is Obama](#).

### Whistleblower Witch Hunt

But Obama has gone after whistleblowers more viciously than Bush, Nixon, or any president in history. Indeed, the Obama administration has [prosecuted more whistleblowers than all other presidents combined](#).

And the government goes out of its way to [smear whistleblowers](#) and [harass honest analysts](#).

Even high-level government employees are in danger. For example, after the head of the NSA's spying program – William Binney – disclosed the fact that the U.S. was [spying on everyone in the U.S. and storing the data forever](#), and that the U.S. was quickly becoming [a totalitarian state](#), the Feds tried to [scare him](#) into shutting up:

[Numerous] FBI officers held a gun to Binney's head as he stepped naked from the shower. He watched with his wife and youngest son as the FBI ransacked their home. Later Binney was separated from the rest of his family, and FBI officials pressured him to implicate one of the other complainants in criminal activity. During the raid, Binney attempted to report to FBI officials the crimes he had witnessed at NSA, in particular the NSA's violation of the constitutional rights of all Americans. However, the FBI wasn't interested in these disclosures. Instead, FBI officials seized Binney's private computer, which to this day has not been returned despite the fact that he has not been charged with a crime.

Other NSA whistleblowers have also been subjected to [armed raids and criminal prosecution](#).

After high-level CIA officer John Kiriakou blew the whistle on illegal CIA torture, the government [prosecuted him for espionage](#).

Even the *head of the CIA* was [targeted with extra-constitutional spying and driven out of](#)

[office](#).

## The Most Gagged Person in the History of the United States

One example of the extreme gagging of whistleblowers is former FBI translator Sibel Edmonds.

The ACLU described Edmonds as:

The most gagged person in the history of the United States of America.

Edmonds has been deemed credible by [the Department of Justice's Inspector General, several senators](#) (free subscription required), and a [coalition of prominent conservative and liberal groups](#).

Edmonds' allegations have been confirmed by [numerous Pentagon, MI6 and FBI officials](#), including [18-year FBI counter-intelligence expert](#) John Cole.

Famed Pentagon Papers whistleblower Daniel Ellsberg [says](#) that Edmonds possesses information "far more explosive than the Pentagon Papers".

Ellsberg also [said](#) that the government has *ordered the media not to cover 9/11*:

Ellsberg seemed hardly surprised that today's American mainstream broadcast media has so far failed to take [former FBI translator and 9/11 whistleblower Sibel] Edmonds up on her offer, despite the blockbuster nature of her allegations [which Ellsberg calls "far more explosive than the Pentagon Papers"].

As Edmonds has also alluded, Ellsberg pointed to the New York Times, who "sat on the NSA spying story for over a year" when they "could have put it out before the 2004 election, which might have changed the outcome."

"There will be phone calls going out to the media saying 'don't even think of touching it, you will be prosecuted for violating national security,'" he told us.

\* \* \*

"I am confident that there is conversation inside the Government as to 'How do we deal with Sibel?'" contends Ellsberg. "The first line of defense is to ensure that she doesn't get into the media. I think any outlet that thought of using her materials would go to the government and they would be told 'don't touch this . . . .'"

Indeed, the mainstream British newspaper the Sunday Times [started publishing a series of articles](#) exposing the scandal which Edmonds had uncovered. But U.S. State Department pressure [killed the series](#).

What are Edmonds' allegations ... that the media is too cowardly to report ... that the most famous whistleblower in history calls "more explosive than the Pentagon Papers"?

Among other things, Edmonds says that the U.S. government worked with Bin Laden and his top lieutenant 3 months [after 9/11](#) ... as part of an ongoing [operation of launching war under](#)

[false pretenses](#).

Now *that* would be a big story if true, wouldn't it?

The mainstream media is *finally* awakening to the fact we are [flirting with tyranny](#) ... and is *finally* [starting to push back](#).

The best defense is a strong offense, and it is [use it or lose it time](#) for the Constitution and Bill of Rights.

The press should shake of its sleepiness and start talking to the whistleblowers (like Edmonds) it's been ignoring for years ... to find out what the government is working so hard to hide.

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