

From: **Sidney, Arthur** <Arthur.Sidney2@mail.house.gov>
Date: Tue, Apr 17, 2018 at 4:42 PM
Subject: FW: Letter to Secretary of Defense James N. Mattis
To: Steven.Anthony@dodig.mil <Steven.Anthony@dodig.mil>, lynn.carlson@dodig.mil <lynn.carlson@dodig.mil>, michele.abell@dodig.mil <michele.abell@dodig.mil>, Patrick.Gookin@dodig.mil <Patrick.Gookin@dodig.mil>
Cc: Martin Edwin Andersen

Dear Department of Defense:

Below is an email letter that was transmitted to your office in Nov/Dec 2017, the office has not received a response. At the request of the Member, Congressman Henry C. "Hank" Johnson, Jr., I am forwarding this information again for a response. Please provide a response to this inquiry as soon as possible. Thank you.

Arthur D. Sidney

PS. The attachments were removed from the letter for ease of transmittal.

The Honorable James N. Mattis
Secretary of Defense
1100 Defense Pentagon
Washington, D.C. 20301

Dear Secretary of Defense Mattis,

I am writing you today concerning my protected disclosures before the Inspectors General of the Department of Defense and the Intelligence Community and their relevance to the critical debate generated by Representative Henry Johnson's "Berta Caceres Human Rights Act" (HR 1299). It is my hope that you will immediately require U.S. Southern Command to provide a full accounting of what is being done to bring those guilty of gross malfeasance to justice. Not only is this a necessary a first step in healing the still-raw wounds created by the illegal 2009 military coup in Tegucigalpa; it also is key to ensuring a real commitment to American values by our military working in Latin America.

I believe that my primary disclosures--some of which are found in classified form in my Congressional Disclosure #1703 now before the House and Senate Intelligence Committees--underscore the importance of ensuring respect for human rights and the rule of law at U.S. Southern Command *before* it provides aid to the Honduran government.

Beyond Southern Command support for the illegal coup, my public disclosures include the hiring, promotion and protection of alleged torturers and former members of international terrorist organizations; gross problems regarding the protection of classified information and security clearances; racism; sexism; homophobia, and common corruption. (Pease see links below.)

Specifically, I believe that, nine years after the first whistleblower disclosures were sent (2009) to the Department of Defense Office of the Inspector General (DoD OIG), virtually nothing has been done to investigate underlying disclosures of violations of rule, regulation and law, with those guilty of wrongdoing either given golden parachutes or are still working for the Department of Defense; this while national security whistleblowers have been slandered, libeled and worse by some of those still publicly supported by Southern Command.

** What is the public message about how the rule of law in Latin America depends on an end to impunity, when the much ballyhooed U.S. example includes civilian control of the military, in this case U.S. Southern Command?*

** What is the respect for the fight against public corruption, which is a fight for human rights and key to reform in Latin America and the Caribbean, when the DoD OIG's role appears in the documents (at least until very recently), more that of a cover up of the Southern Command scandal than that a real investigative agency?*

It should be emphasized from the outset that key elements of my disclosures have already been verified and/or endorsed by among others, senior CIA and State Department officials as well as by senior Members of Congress (For example: "The Department of Defense should know better than to invite in and continue to employ a foreign military officer for a position of authority at a prestigious U.S. institution even after he was credibly implicated in serious crimes," Sen. Patrick Leahy, D-Vt., told McClatchy. "We criticize other countries for failing to hold accountable officers who violate the law. Yet, in this case, we reward him in our own country? It sends a terrible message." More here: <http://hrlld.us/1ZpMKDA>).

In addition, the disclosures have received attention in major media outlets. In the case of the illegal military coup in Honduras and unpunished Southern Command officials' complicity, please see the recent investigative report in *The Intercept* @ <http://bit.ly/2xChiZZ>.

That about the related case of the senior National Security Council (NSC) adviser on Latin America, dismissed for cause, by President Donald Trump was published in *The Miami Herald* @ <http://hrlld.us/2pGSQSV>.

The case concerning the knowing employment of a former senior aide to the Chilean dictator Augusto Pinochet--a Southern Command professor who once belonged to Pinochet's DINA state terrorist organization that killed two people less than a mile from the White House--was dealt with at length by *McClatchyDC* @ <http://bit.ly/1L5toMy> and <http://hrlld.us/1ZpMKDA>.

I should also point out that I was the first national security whistleblower to receive the U.S. Office of Special Counsel's "Public Servant Award" for my work at the Criminal Division of the U.S. Department of Justice. More recently I served as an expert witness in the Italian government's case against Pinochet and his notorious international death squad Operation Condor. (Please see attached.)

Concerning the tragic situation that continues to haunt the peoples of Honduras generally, and the case of the murder indigenous environmental rights activist Berta Caseres specifically, I can show that I have long been active in the fight for human rights (including specifically the rights of Native peoples) and environmental protection. Working for the late Senator Alan Cranston, I was the staff author of the "Cranston Amendment" that for nearly a quarter of a century has required the State Department to include the rights of indigenous peoples in his annual human rights country reports.

On the Senator's behalf I also organized an indigenous peoples Congressional staff working group, bringing together environmentalists as well as Hill human rights activists to fight for recognition of Native peoples' rights.

More recently, I led efforts to ensure that the rights of indigenous peoples and those of the LGBT community were including in Freedom House's annual political rights and civil liberties country reports. While working for Southern Command as a national security professor, on my own time I wrote a book on the indigenous peoples of the Western Hemisphere, *Peoples of the Earth*, with a forward by President Carter's senior Latin American NSC advisor Robert Pastor. (I am also enclosing two of the articles that I wrote for the Joint Force Quarterly for your review.)

For all these reasons and more, I respectfully ask that U.S. support for the Honduran military be put under a microscope. Two of those highlighted in my protected whistleblower disclosures previously held senior positions at the Western Hemisphere Institute for Security Cooperation (WHINSEC), with one--a proponent at CHDS for the use of death squads in Mexico--a former instructor at the notorious School of the Americas (please see attachments, below; one from Government Accountability Project lawyer Tom Devine, the other my contemporaneous "Memo to File" on a very uncomfortable conversation with the SOA maven, former CHDS Acting Director Ken LaPlante, a former School of the Americas instructor).

I need point out, Sir, that, in addition to CHDS' unpunished support for the illegal 2009 military coup, two of those publicly linked to the murder of indigenous leader and Goldman Environmental Prize winner Berta Carreras were trained at WHINSEC. Thus now more than ever an unwavering commitment to bring both perpetrators of violence and their lawless patrons to justice is required.

Yet to date, my fellow whistleblower at CHDS, the Oxford-educated Professor James Zackrison, was only interviewed (by phone) by the DoD OIG last month, almost exactly nine years after filing his protected disclosures (which I helped edit before he submitted them). Since that time, several of my own requests for investigation, including those sponsored by House Minority Whip Steny Hoyer and then Senate Armed Services Committee Chair Carl Levin, were spurned by a "government watchdog"--the DoD OIG--that has appeared (again, at least until recently) more interested in savaging the rights of truth tellers and American taxpayers than in restoring the primacy of the rule of law at Southern Command.

For that reason and the others mentioned above--centered on current efforts by you meant to assist in the strengthening of the rule of law and human rights within the context of fighting international terrorism--I respectfully ask that you exercise your leadership, which remains key in ensuring authentic American values and the hopes that they generate are based in fact, not merely putinesque rhetoric.

Mr. Secretary, I specifically ask that I be immediately returned to federal service until that time when I can retire with a full pension, receive back pay (including unrealized benefits) from the time that I was illegally forced out of government service, and that I receive public recognition from your Office of my efforts as an already decorated national security whistleblower in support for the public values of honesty, inclusion and respect for human rights, most eloquently demanded by U.S. Air Force Academy superintendent Lt. Gen. Jay Silveria (goo.gl/z6zdov).

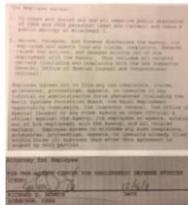
As you know, the concept of "brotherhood" was perhaps best defined by Navy SEAL educator Brian "Iron Ed" Hiner, who called it a "full commitment and promise from each team member to look after each other and to put the well-being of others before themselves." Those who remain loyal to its public mission and respect for the law at Southern Command await your response.

Very Respectfully,

Martin Edwin Andersen

Attachments removed for ease of transmittal:

But just to make sure that the fix was in already, the #BandOfBros put the well-being of whistleblower family members at risk and secretly attempted to go around the federal civil service Lloyd-LaFollette Act (5 U.S.C. § 7211), which clearly delineates "the right of employees... to furnish information to either House of Congress, or to a committee or Member thereof, may not be interfered with or denied."



Senate Armed Services Committee Chair Carl Levin filed the #SASC's request for the #DoD_IG to investigate almost exactly six years after the first known protected disclosures were filed, then promptly ignored. #SchoolOfTheAmericas #BetterCallSaul



NDU professor faces homicide charges, former Canadian commander in Kabul jail

BY THOMAS F. RICKS JANUARY 30, 2014 -

11:05 AM
You turn over a rock and things come out. I learned late yesterday that a professor at NDU, Jaime Garcia Covarrubias, a retired Chilean brigadier who is listed in an NDU document as a "professor of national security affairs," was charged three months ago with being involved in the deaths of seven political prisoners in Temuco, Chile, in 1973. Apparently he is still on the faculty of NDU. He is now in Chile, where he recently told a judge that he needed to return to NDU, as he was still under contract, but the judge denied him permission to leave the country. ...

http://ricks.foreignpolicy.com/posts/2014/01/30/ndu_professor_faces_homicide_charges_former_canadian_commander_in_kabul_jail

Memorandum

TO: Ken LaPlante
FROM: Mick Andersen
RE: Allegations of human rights abuse against CHDS professor
DATE: February 25, 2008

Ken,
Attached please find two more articles in which Jaime Garcia Covarrubias is mentioned in connection with human rights cases in Chile. The June 27, 2007 article, "Ministro Madrid ordeno interrogar a Fernandez Larios en Estados Unidos" is of particular due to the fact it was published only a short

Fortunately, even as #NDU and #CHDS sought to hide wrongdoing from public view, #Congress still has an important role in play in oversight of the #Pentagon and, in particular, #SouthernCommand ...



Former School of the Americas (SOA) instructor on torture, clandestine murder in Mexico

From: Martin Edwin Andersen
Sent: Monday, February 09, 2009 6:51 PM
To: Andersen, Martin Edwin;
Subject: MEMO TO FILE

This morning, in a conversation with my boss, Ken LaPlante, and CHDS operations chief XXXXXXXX, the talk turned to the case of the retired Mexican general and two others who were kidnapped, torture and killed in Cancun.

XXXXXXXXX approvingly mentioned how bad the repression was going to get in Mexico, suggesting that the military was going to go out and make bloody reprisals for the crime against a popular military figure.

Ken then said that what needed to be done was "an Argentine solution," no matter if innocent people were killed, referring to the Argentine "dirty war"--that unnamed people needed to be crushed. XXXXXXXX nodded his head in approval.

These remarks go against CHDS' stated mission in support of human rights and democracy. If they were given a public airing, they would discredit the Center and its work. This is particularly so since Ken is an active participant in the public debate over the School of the Americas.

I did not address their remarks (on) ... the Argentine dirty war, in which torture, disappearance and clandestine murder were the norm. ...

Subj: Operation Condor/request for help from Judge Capaldo
Date: 6/15/02 4:01:25 AM Eastern Daylight Time
From: giuliabarrera@iscali.it (Giulia Barrera)
To: anacastl@aol.com

Dear Mr. Anderson,
I am writing to you on behalf of Judge Giancarlo Capaldo, to ask for your help in an investigation concerning Operation Condor. Judge Capaldo is a prosecutor (in Italy, unlike the US, prosecutors are magistrates, not attorneys) of the Procura della Repubblica (Prosecutor's office) of Rome. He is investigating the death of eleven Italian citizens, Italo-Uruguayans and Italo-Argentines, who disappeared in Latin America in the 1970s. All of them disappeared while they were abroad (the Italo-Uruguayans disappeared in Argentina, and the Italo-Argentines disappeared in Paraguay and Brazil) and we believe that they were victims of the Operation Condor.

In the past three years, Judge Capaldo has been collecting hundreds of documents, and hearing dozens of witnesses in Latin America, Europe and the US. Different scholars and NGOs have helped him, including John Dinges, Patrice McSherry, the National Security Archive (Tom Blanton, Carlos Osorio and Peter Kornbluh) and the Institute for Policy Studies (Stacie Jonas). We are currently in the final stages of the investigation. Among other things, we are currently trying to complete our research for evidence in the US.

You have been a pioneer in exposing Operation Condor. If I understand, over the years you have been able to collect important documents and information on this issue. Are you still doing research on Operation Condor? In September or October, Judge Capaldo and I are planning to go to the US. Would you be willing to meet informally with him, and share with him your expertise on Operation Condor? Any help that you can give him would be highly appreciated.

Sincerely,

Giulia Barrera

Giulia Barrera
Via Montagne Rocciose, 68
00144 Roma

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May 24, 2005

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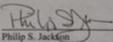
Re: Request for Assistance from Italy
BY CERTIFIED MAIL

Dear Mr. Anderson:

I am an Assistant United States Attorney, and my duties include processing requests for legal assistance made by foreign nations. The government of Italy has requested that my Office contact you in regard to a criminal investigation now pending in that country that has targeted Augusto Pinochet. In that regard, I am enclosing a translated copy of the matter about which they are seeking assistance.

In that regard, it would be appreciated if you would please review the enclosed material, and then contact me (or have your attorney contact me) at your earliest convenience so that this matter can be rapidly addressed. If you have any questions, please don't hesitate to contact me. Thank you for your attention to this matter.

Truly Yours,
Allen F. Loucks
United States Attorney


Philip S. Jackson
Asst. United States Attorney

U.S. Instructed Latins On Executions, Torture

Manuals Used 1982-91, Pentagon Reveals

By Dana Priest
Washington Post Staff Writer

U.S. Army intelligence manuals used to train Latin American military officers at an Army school from 1982 to 1991 advocated executions, torture, blackmail and other forms of coercion against insurgents, Pentagon documents released yesterday show.

Used in courses at the U.S. Army's School of the Americas, the manual says that to recruit and control informants, counterintelligence agents could use "fear, payment of bounties for enemy dead, beatings, false imprisonment, executions and the use of truth serum," according to a secret Defense Department summary of the manuals compiled during a 1992 investigation of the instructional material and also released yesterday.

A summary of the investigation and four pages of brief, translated excerpts from the seven Spanish-language manuals were released last night by the Defense Department,

which recently has taken to making controversial information available in the evenings, after the deadlines of the prime-time network television news programs.

The Army School of the Americas, long located in Panama but moved in 1984 to Fort Benning, Ga., has trained nearly 60,000 military and police officers from Latin America and the United States since 1946.

Its graduates have included some of the region's most notorious human rights abusers, among them Roberto D'Aubuisson, the leader of El Salvador's right-wing death squads; 19 Salvadoran soldiers linked to the 1989 assassination of six Jesuit priests; Gen. Manuel Antonio Noriega, the deposed Panamanian strongman; six Peruvian officers linked to killings of students and a professor; and Col. Julio Roberto Alpirez, a Guatemalan officer implicated in the death of an American innkeeper living in Guatemala and to the death of a leftist guerrilla married to an American lawyer.

See MANUAL, AB, Col. 4



Ethnic Politics, Defense, and Security in "Latin" America

By MARTIN EDWIN ANDERSEN

In "Latin" America, a new dynamism has emerged in the relationship between indigenous communities, representing a base of millions of people, and national governments, particularly in terms of Indian people's broad incorporation into the regional political arena as full citizens and their integration. From the time of the Spanish Conquest, this relationship has largely been through the military due to the physical and cultural remoteness of state capital cities in a vast Native American continent, and the lack of real state presence except for the military and other security forces (although historically the role of contact with non-Indian society also included the Catholic Church and more recently the school system). Conversely, such a condition for integrating indigenous peoples (initially facing both the promise and threat of social mobility and incorporation in urban areas into the national public, the relationship with the armed forces came at a high cost to the Indians. Military lead-

Martin Edwin Andersen is an Assistant Professor of National Security Affairs in the Center for Strategic Studies Studies at the Defense Studies Institute, the most recent book is *People of the Edge: Ethnicity, Democracy, and the Indigenous Challenge in Latin America* (Langdon Books, 2010).



A Road Map for Beating Latin America's Transnational Criminal Organizations

By MARTIN EDWIN ANDERSEN

The brotherhood of the well-intentioned exists even though it is impossible to organize it anywhere.

—ALBERT EINSTEIN (1954)

The challenges posed by transnational criminal organizations (TCOs)—networks that mobilize international resources with domestic gangs for greater and deeper illegal reach—today cut a soaring path through Latin America's political, social, and economic landscape, everything that once seemed directly law enforcement's province into national security threats. At the same time, throughout the region a fierce debate has arisen about the efficacy and appropriateness of military versus law enforcement responses, and combinations of the two, thrust into this violent chaos. In

an extensive survey of people's sense of trust in national public forces around the Americas, the Imperial American Battleground Foundation surprisingly gives the region's social and ethnic intricacies—"positive correlation between self-identifying as white compared to all other groups and trust in the police." Other factors, he reported, "such as a history of crime victimization, fear of crime, and victimization by corrupts contribute negatively to people's perceptions." All the factors in a most countries of the region public forces are dramatically underpaid and undermanned, while facing criminal groups of sophisticated