

MARTIN ANDERSEN v. DEPARTMENT OF DEFENSE

Docket # DC-1221-19-0058-W-1

Evidence-Based Pleading on Protected Activities

Summary Page

Case Title : MARTIN ANDERSEN v. DEPARTMENT OF DEFENSE

Docket Number : DC-1221-19-0058-W-1

Pleading Title : Evidence-Based Pleading on Protected Activities

Filer's Name : Martin Andersen

Filer's Pleading Role : Appellant

Details about the supporting documentation

#	Title/ Description	Mode of Delivery
1	Time Line of Key Incidents/Reprisals /ICOIG edited	Uploaded
2	CHDS Reprisals against my friends/colleagues	Uploaded
3	FBI Special Agent: DINA state-sponsored terrorism	Uploaded
4	CHDS Prof. Evan Ellis on Kenneth LaPlante's demise	Uploaded
5	Slapp Threat by LaPlante lawyer	Uploaded
6	Intel Community IG Congressional Disclosure 1703	Uploaded
7	2018 Disclosure to Special Counsel Mueller	Uploaded
8	2018 Disclosure to Special Counsel Mueller / 2	Uploaded
9	Major Media Rendition of My Protected Disclosures	Uploaded
10	CHDS Director Downie & Cynical Cover Up	Uploaded
11	Amb. Cris Arcos' warning: "They will seek blood"	Uploaded
12	NDU lawyer Murphy's 2017 threat of reprisal	Uploaded
13	Ken LaPlante referring to me as his "butt boy"	Uploaded
14	2010 email to LaPlante about gross malfeasance	Uploaded
15	Amb. Cris Arcos' praise before scandal public	Uploaded

16 Amb. Arcos 5/30/11 email on disclosures

Uploaded

Table of Contents

Pleading Interview	4
Uploaded Pleading Text Document	5
Time Line of Key Incidents/Reprisals /ICOIG edited	21
CHDS Reprisals against my friends/colleagues	54
FBI Special Agent: DINA state-sponsored terrorism	55
CHDS Prof. Evan Ellis on Kenneth LaPlante's demise	56
Slapp Threat by LaPlante lawyer	57
Intel Community IG Congressional Disclosure 1703	58
2018 Disclosure to Special Counsel Mueller	59
2018 Disclosure to Special Counsel Mueller / 2	60
Major Media Rendition of My Protected Disclosures	61
CHDS Director Downie & Cynical Cover Up	62
Amb. Cris Arcos' warning: "They will seek blood"	63
NDU lawyer Murphy's 2017 threat of reprisal	64
Ken LaPlante referring to me as his "butt boy"	65
2010 email to LaPlante about gross malfeasance	66
Amb. Cris Arcos' praise before scandal public	67
Amb. Arcos 5/30/11 email on disclosures	68
Certificate of Service	69

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Evidence-Based Pleading on Protected Activities

Online Interview

1. Would you like to enter the text online or upload a file containing the pleading?

See attached pleading text document

2. Does your pleading assert facts that you know from your personal knowledge?

Yes

3. Do you declare, under penalty of perjury, that the facts stated in this pleading are true and correct?

Yes

PLEADING
Partial Response to Order on Jurisdiction for IRA Appeal
Evidence-Based Pleading on Protected Activities

November 16, 2018

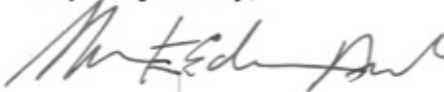
Dear Judge Cioffalo,

The following is a continuation of my Response to questions raised in your Order of October 25, 2018.

Please note that most of what follows has been given either to the Department of Defense Office of the Inspector General (DoD OIG) and/or to the Intelligence Community Office of the Inspector General (IC OIG), the latter in the form of Congressional Disclosures. Included in those disclosures is voluminous documentation, including contemporaneous memoranda of conversations, third-party emails, major news organization stories, etc.

I am submitting a convincing sample of such documentation to the MSPB with this filing, holding back on the rest only in order that the focus remains on the issue of jurisdiction and why the my disclosures are timely as to how wrongdoers were given virtually a get-out-of-jail-free card while reputable truth tellers are still paying a high price for the machinations of those violators of rule, regulation and law and their seeming ongoing monopoly of power.

Very Respectfully,



Martin Edwin Andersen

Protected Activity No. 1

The date and substance of the activity

Center for Hemispheric Defense Studies Academic Dean Craig Deare's extra-marital relationship with a contractor. In November 18, 2006 I brought to Center Director Richard D. Downie and Deputy Director Kenneth LaPlante the disclosure about the then-married Deare's sexual relationship with a CHDS consultant under his supervision. It underlined the continued improper conduct by Deare, which included knowingly libeling a fellow Dean, Dennis Caffrey, who was honestly interested in promoting women in defense and security, as being the married person engaged a (non-existent) affair.

The adverse actions against me included on-going and unpunished character assassination campaign by Deare and his close friend Dean Thomaz Costa, protected by Center Director Richard D. Downie; CHDS renewing my three-year Title X contract by only two years, despite "Outstanding" annual evaluations.

Who in the agency knew of the activity

Craig Deare, Richard Downie, Kenneth LaPlante, Dennis Caffrey, CHDS contractor mentioned above.

Protected Activity No. 2

The date and substance of the activity

Exorbitant consultant pay to Downie patron. In 2007, as a senior member of CHDS staff, I was one of several people who questioned a payment far in excess of the Center standard given by Center Director Downie to an academic who had been Downie's Ph.D advisor, for a poorly-written presentation that the academic made before a CHDS conference in Lima, Peru. Questioned the payment in a closed-door meeting, Kenneth LaPlante made the claim about having formerly worked for an Office of the Inspector General (the Army OIG) he therefore knew how to keep Downie "out of jail."

This came in the context of my seeking to create an anonymous system for employees to make complaints about misconduct/wrongdoing at the Center. Despite the palpable fear expressed by colleagues about the existing lack of safe avenues and the fact that an independent consultant (whose contract was tellingly not renewed, despite his offer to help monitor implementation of real reform) found serious concerns about the possible violation of rules, regulations and/or law the idea was unceremoniously shot down by Center Director Downie. Proved by independent consultant's report and email coverage.

It is clear that Downie accepted no challenge to his narcissistic, inept and controversial "administration" of the Center and that he was protected by his deputy/ enforcer, Ken LaPlante. The failure to protect the anonymity of possible truth tellers and how that contributed to gross malfeasance at the Center fully demonstrated in subsequent AR 15-6 carried out in 2011-2012. The snowball effect is clear.

The result was CHDS renewing my three-year Title X contract by only two years, despite "Outstanding" annual evaluations, this in contrast to others at the same general Title X/GS level; attitude of Downie and LaPlante in claiming that I was unnecessarily promoting "disgruntled" behavior. There were no other employees who were not whistleblowers who were treated in a like or similar manner.

Who in the agency knew of the activity

Richard Downie, Kenneth LaPlante, Dean Dennis Caffrey, Chief of Contractors Frank McGurk, fellow whistleblower James Zackrison.

Protected Activity No. 3

The date and substance of the activity

I challenged the rampant homophobia at the Center, against specific CHDS employees as well as senior Pentagon staff (and at least one prominent South American Defense Minister), which wrongdoers took to the point of it possibly creating a security concern. Sexual innuendo was allowed to become commonplace by senior staff, with Center Director Downie crony Dean Craig Deare actually pretending to masturbate when I spoke at senior staff meetings. General John Thompson repeatedly used a falsetto voice and feminine gestures while talking about my CHDS colleague and long-time friend Michael Gold-Biss. When I complained to Downie about it, nothing was done, as Thompson continued his "gay-bashing" behavior.

The adverse actions against me included me being publically mocked by Downie and told that I should never use "pink" stationery. The issue served as background/motivation for my receiving only a two-year renewal of my three-year Title 10 contract.

Who in the agency knew of the activity

Richard D. Downie, Kenneth LaPlante, John Thompson, Craig Deare, James Zackrison, Michael Gold-Biss, Dennis Caffrey, Frank McGurk, and others.

Protected Activity No. 4

The date and substance of the activity

Colleague who previously belonged to a foreign state terrorist organization. In January-February 2008, I made my first disclosures to my immediate supervisor Kenneth LaPlante, my former supervisor Dean Dennis Caffrey, and Center Director Richard D. Downie about possible wrongdoing by fellow professor Jaime Garcia Covarrubias, a Chilean national who was once a member of the DINA state terrorist organization which killed people 0.6 miles away from the White House. A few months later, as the evidence mounted, LaPlante said that I was to lead an "investigation" of the Garcia Covarrubias case, something that turned out to be a phony responsibility designed to keep me in line and to bury the Garcia Covarrubias issue by saying a well-known human rights advocate (me), someone who had worked with both the Chilean police and the Italian government in cases of gross violations national and international law in that country, did not find any incriminating information about the Chilean colleague.

Downie mockingly told me I should 'get back to work'; that I was not an investigative reporter. LaPlante set me up to lead what became—because of Downie and LaPlante—a Potemkin-like investigation, then warned me that if I did not stop probing, senior staff would find a way to fire me. This in the context of the fact that before coming to CHDS, I was an expert witness in the Italian government's case against Garcia Covarrubias' former employers, Chilean dictator Pinochet and international terrorism group leader Manuel Contreras, like Garcia Covarrubias a School of the Americas graduate.

Who in the agency knew of the activity

Kenneth LaPlante, Dennis Caffrey, Craig Deare, James Zackrison, David Spencer, and Richard D. Downie

Protected Activity No. 5

The date and substance of the activity

Failure to follow employment rules/regulations.

In May 2008, Downie told me that he had decided to hire acting Academic Dean Thomaz Costa in the permanent position, even though the interview process had not been concluded with other candidates; in a senior leadership meeting that I attended General John Thompson openly spoke of how they were going to circumvent veterans' preference requirements in order to hire a sneaky and professionally challenged contractor, Kara O'Ryan, in a permanent position. *The bragging was done in a way to show me the impunity with which other staff members operated.*

Who in the agency knew of the activity

Richard D. Downie, Kenneth LaPlante, Dean John Thompson, other senior CHDS staff

Protected Activity No. 6

The date and substance of the activity

The promotion of phony guest speakers linked (including later convicted) to gross violations of human rights, ie: torture, murder; one case that in which CHDS Dean Craig Deare personally profited. In 2008, I warned Richard D. Downie and Kenneth LaPlante about the problem of phony presenters on the topic of international terrorism at CHDS events, one—a wealthy businessman—who returned the favor to his patron Craig Deare by putting him on the board of his private foundation in Buenos Aires.

Although these questions were central to my role as chief of strategic communications as well as an assistant professor (and a recognized expert, including in *The New York Times* @ <https://www.nytimes.com/1993/05/09/books/when-thousands-vanished.html> in human rights in Latin America), the issue served as background/motivation for my receiving only a two-year renewal of my three-year Title 10 contract. It was, as I repeatedly stated then, a gross violation of public education ethics as well as a potential threat to national security. (Blackmail/graymail.)

Who in the agency knew of the activity

Craig Deare, Richard D. Downie, Kenneth LaPlante

Protected Activity No. 7

The date and substance of the activity

Senior staff promotion of death squads in Mexico. In March 2009, Center Deputy Director Kenneth LaPlante promoted behind closed-doors Argentine "dirty war" death squad techniques for Mexico; techniques include torture, clandestine disappearances, concentration camps run by neo-Nazi sympathizers, and murder. It was a clear warning that, despite both 2008 presidential candidates Barack Obama and John McCain condemning practice of torture, the behind-the-scenes advocacy at CHDS was starkly different. It was also confirmation of the total lack of seriousness with which LaPlante, my immediate supervisor, took my efforts to investigate the case of fellow Professor Jaime Garcia Covarrubias (Protected Activity No. 4) and to protect the Center against its promotion as expert speakers those linked to gross human rights violations in their own country (Protected Activity No. 5).

It should be noted that this "testing" me was carried out in the context of the Garcia Covarrubias death squad/terrorist accusation/conundrum and the knowing promotion and protection at CHDS speakers of dirty "war" figures. In addition, LaPlante was a well-known defender/proponent of the old notorious School of Americas shut down by Congress, where LaPlante used to work and whose defense he continued to vigorously make after its closure for cause by Congress in 2000. (http://articles.dailypress.com/2001-06-16/news/0106160210_1_western-hemisphere-institute-army-school-torture-manuals /Please see also the *Washington Post* article @ https://www.washingtonpost.com/archive/politics/1996/09/21/us-instructed-latins-on-executions-torture/f7d86816-5ab3-4ef0-9df6-f430c209392f/?utm_term=.c7724cc4156a).

It was around the same time that I began to make an earnest effort to join the staff of the CIA in order to support the efforts by incoming President Obama and his former political rival McCain in their efforts to shut down torture programs inside the Agency. (Please see classified disclosures given as Congressional Disclosures to the Intelligence Committee Office of the Inspector General.) I ended up being told that, being well over 50 years old, the Agency would not make the expenditure to get me to the level of security clearance needed.

Who in the agency knew of the activity

Kenneth LaPlante, Michael Borders. (I have a contemporaneous memorandum of conversation.)

Protected Activity No. 8

The date and substance of the activity

Specific threat related to my outside whistleblower / employee free speech promotion. In mid-2009, I was warned by LaPlante that I should never again be associated in public with anything having to do with whistleblower rights; this after having authored a petition to President Barack Obama that was signed by more than 20 national security whistleblowers. This threat was taken in the context of my advocacy/disclosures about the need to investigate the real role played by fellow professor Jaime Garcia Covarrubias in the vicious political repression of the Augusto Pinochet military dictatorship; my questioning of why CHDS knowingly promoted foreign speakers guilty of gross human rights violations in their own countries, and the clandestine hands-on role of CHDS colleagues in support of the illegal 2009 military coup in Honduras. (See Protected Activity No. 6.)

Coming around the time I found out about CHDS and the Honduras coup, and when I was warned that if I continued to seek information about Garcia Covarrubias senior Center staff would find a way to make me lose my job, I believe this helped former OIG official LaPlante plan his future reprisals against me. Meant to keep me on a "short leash," it also contributed to my contract being renewed in 2010 for only one year, unlike those of my colleagues, despite my "Outstanding" annual job evaluations, and senior staff characterizations of me as perpetually "disgruntled".

Who in the agency knew of the activity

Kenneth LaPlante, James Zackrison

Protected Activity No. 9

The date and substance of the activity

Support by senior CHDS staff for illegal Honduras coup. In July-August 2009, I was kicked out of a senior CHDS officials meeting when they began to discuss the cover up of the Center's role in the illegal military coup in Honduras in June of that year. For further information about the coup, the illegal activity on the part of senior CHDS staff, and the unfolding cover up and whistleblower reprisal, please see *The Intercept's* investigative report, "How Pentagon officials may have encouraged a 2009 coup in Honduras" @ <https://theintercept.com/2017/08/29/honduras-coup-us-defense-department-center-hemispheric-defense-studies-chds/>. Do to the need to protect classified national security information, I respectfully ask that, if possible, you review the Congressional Disclosures that I have submitted to the Intelligence Community Office of the Inspector General.

The order to get out of at least one of the senior staff meetings in mid-2009 (where how to cover up the scandal was beginning to be discussed) was made by LaPlante in the presence of Downie, et. al; the 2011 reprisals were orchestrated by Downie, LaPlante, the hands-on coup supporter John Thompson, and others. As Downie and LaPlante sought to cover up Thompson, et. al's role, the joke in the hallways was whether Thompson would still get his succulent year-end bonus. As seen in later press reports on the Honduras coup-CHDS case, whistleblower reprisal was central to the highly negative strategic communications and

human rights challenges faced by U.S. Southern Command. I should mention here that Center Professor Boris Saavedra, who was the one who initially told me about Thompson's role, never came forward publicly about what he knows and has seemingly been well rewarded at CHDS and NDU for his silence.

Who in the agency knew of the activity

Ambassador Cresencio Arcos, Deputy Director Kenneth LaPlante, Dean John Thompson, CHDS Professor Boris Saavedra, Director Richard D. Downie, and other members of the senior staff.

Protected Activity No. 10

The date and substance of the activity

Garcia Covarrubias international terrorism/human rights case (continued). In mid-2009 I was warned by Kenneth LaPlante that I would lose my job (during the worst economic recession since the Great Depression) if I continued to insist on an investigation of Professor Jaime Garcia Covarrubias. For more than a year, death squad promoter LaPlante had refused every single real initiative I suggested for either confirming or dispelling the accusations against Garcia Covarrubias. Having made a "big deal" about Garcia Covarrubias and then having had to "back off" due to fraudulent representations by LaPlante about what I was going to be allow to "investigate," then prohibited from doing so and being forced to "admit" to Downie that there was "nothing" to the charges against Garcia Covarrubias, my own credibility within the organization and as a human rights advocate was purposefully tampered with.

Who in the agency knew of the activity

Deputy Director Kenneth LaPlante, and possibly Professor James Zackrison

Protected Activity No. 11

The date and substance of the activity

Racist and sexist commentary/emails during the period 2009-2011 (Illegal, Conduct Unbecoming). I have a list of behaviors that I believe go from what those in the military call "conduct unbecoming" to what I believe was actually illegal. For example, in the Spring of 2011, an e-mail was circulated around CHDS portraying First Lady Michelle Obama as a monkey; about the same time, a CHDS Assistant Professor used a slide that showed a woman's derriere covered by a thin Brazil-type thong morphing into a Polish sausage. One of the students was an attractive Polish Mexican who was then "teased" and asked by other students if she had a derriere like that. Women in the class were appalled by this and other incidents of sexism. I met several times behind closed doors with Ambassador Cresencio Arcos, the CHDS political advisor, to discuss how to end such racist behavior at CHDS. When I mentioned the racist email to my immediate supervisor Kenneth LaPlante he countered by saying that it might just be a "cultural" misunderstanding and that while his own mother used the "N" word and did not "like" black people, that did not mean that she was a racist.

In fact, racist comments were frequently made by the "older, much older white males" on staff at the Center and preferred by Downie and LaPlante. (As Harvard consultant Joseph Tulchin wrote, "In all cases of interference, the director [Downie] sought to replace Latin Americans, and women with older [much older] white males who were of inferior academic quality." (Please see Protected Activity No. 12)

In addition, Downie told me that LaPlante had already told him that he did not support the renewal of my contract, although Downie did not say that he agreed and I did not receive formal notice until months later in a way that violated rule/regulation.

Who in the agency knew of the activity

Protected Activity No. 12

The date and substance of the activity

I forwarded the original complaint made by Jim Zackrison in 2009 (and never investigated by the DOD OIG) to the Ms. D.C. Gordon in the office of former Secretary of Defense William Perry for his review. At the time I did so, serial wrongdoer LaPlante was attempting to get CHDS renamed as the "William Perry Center for Hemispheric Defense Studies), which in fact occurred in 2013 (goo.gl/zWpojW). In the wake of a near-fatal car crash suffered by myself and my wife in May 2011, I was concerned that the mounting scandals at the Center would greatly embarrass Secretary Perry, whose illustrious career included being the Secretary responsible for setting up the Center.

----- Forwarded message -----

From: **Martin E. Andersen** <martinedwinandersen@gmail.com>

Date: Tue, Jun 7, 2011 at 5:22 PM

Subject: Fwd: Memo to file: CHDS scandals / Chimpanzee comparison is not racism?

To: dcgordon@stanford.edu

Reprisals against me included, but were not limited to, a failure to renew my contract in accordance with rule, regulation and/or law; a senior staff (those who were targets of my protected disclosures) campaign of slander and libel against me; my being banned as a supposed security risk from Fort Leslie McNair; detrimental change in my work status/duties; engaging in phony "ethics" inquiries about me and my closest serving and former CHDS colleagues; badmouthing me to potential employers, and a related downgrading of my annual job performance evaluation, the last until I agreed to sign an illegal contract of adhesion in order to support my family in extremely difficult times.

These actions were fundamental in keeping the malignancy of wrongdoing from becoming public knowledge and thus Secretary Perry let his name be used for an institution that betrayed the purposes for which CHDS was originally set up under his guidance.

LaPlante loved public spectacles that put himself and other wrongdoers in a positive public light. It was in that same time period that LaPlante made mandatory for all CHDS employees their attendance at a ceremony honoring serial wrongdoer Craig Deare, for example. He was zealous, as was the narcissistic Downie, in maintaining a "relationship" with Perry, who I assume would have been appalled if he knew what was really going on at the Center. (See, for example, Evan Ellis 2014 email to me on LaPlante's ignominious departure from the Center.)

Therefore, for CHDS leadership my disclosures to the former Secretary of Defense, through Ms. Gordon, needed to be totally discredited, which I believe helps explain the Downie-LaPlante slander that I was some sort of security risk, to be followed by the ersatz AR 15-6; both of these before the Center name was actually changed and before LaPlante got his photograph with Secretary Perry.

Had even the purposefully paltry findings of the AR 15-6 been made public, I am sure Secretary Perry would have called the wrongdoers into account before letting his name be used.

Who in the agency knew of the activity

LaPlante was included on one of the emails that I sent to Ms. Gordon, and it is logical to assume that Ms. Gordon spoke about the others with Downie and or LaPlante, given her professional relationship with them (and what I assume was an ignorance to their wrongdoing).

Protected Activity No. 13

The date and substance of the activity

Public disclosure that I would be handing off a pile of incriminating disclosures to the U.S. Southern Command Inspector General. Very early the morning of June 16, 2011, the morning of the day that I arrived at CHDS to do my sick leave paperwork after two brain surgeries, I publically announced that I was going to give protected disclosures about gross wrongdoing to the Inspector General of U.S. Southern Command. I was then fraudulently declared a security risk and banned from National Defense University campus after refusing to be intimidated by Center Deputy Director Kenneth LaPlante. In announcing my plan to go to the OIG, I was aware that just weeks before those involved in wrongdoing would be out to seek my "blood."

While at CHDS, LaPlante had confronted me in the hallway, demanding that I meet with him alone in an office. I refused. My offense? I told people I met at NDU/CHDS on June 16 that "justice will return" in early August, when I would no longer be taking sick leave and when, according to what Ambassador Arcos told me at the time, the U.S. Southern Command Inspector General would start an investigation.

Late the afternoon of June 17, 2011, I received the following hopelessly pretextual email message from LaPlante:

... as your supervisor and at the request of the NDU-GC and with the concurrence of the Director, CHDS, I forward to you the attached Notice Of Revocation of Access to Facilities of the National Defense University, Fort McNair, Washington, D.C. signed by the President of the National Defense University (NDU). You will also receive a copy via FEDEX.

On June 22, Downie sends out "A Message from the CHDS Director," using my CHDSSTRATCOM@NDU.EDU address and invoking, as a good guy, the name of serial wrongdoer Gen. John Thompson, saying that:

"The allegations in the emails involve a number of current and former CHDS personnel and relate to alleged incidents, some of which are five or more years in the past. Most of the allegations raised in these emails have already been addressed and closed. We are reviewing each of the remaining allegations to further ensure that appropriate action has been taken. In this review, we are working closely with appropriate authorities of the National Defense University and the Defense Security Cooperation Agency.

"Please contact the CHDS Dean of Students, Administration & Outreach, John Thompson at: thompsonj17@ndu.edu if you have any questions or concerns.

It is extremely important to note here how Downie claimed, against all evidence as shown by later major media reports about the Center, that, "We are reviewing each of the remaining allegations to further ensure that appropriate action has been taken. In this review, we are working closely with appropriate authorities of the National Defense University and the Defense Security Cooperation Agency." It is clear that the impunity that Center and NDU wrongdoers enjoyed--based perhaps in large part on LaPlante's frequent boast that, as a former senior Army IG official, he knew how to keep outside investigators at bay and thus keep Downie "out of jail"--meant that such promises were not only empty but cynical at best.

A CHDS memorandum dated October 31, 2011, seeking to justify CHDS executive actions, makes reference to my "unannounced visit" in June--there was no reason why I should have announced I was planning to come in to take care of my own sick leave paperwork--one that allegedly had a "terrifying effect on several people of CHDS" (sic). The original position taken in that memo that "to date, nothing presented by me would justify modification of this ban"--this despite the fact that, according to my own doctor's letter to them--any residual effects of the medication (which caused me to send out the e-mails)--definitely ended by early to mid-July.

Not only was I prohibited from returning to National Defense University; I was also blocked from sending

any emails using my NDU.edu account, or trying to reach those with NDU.edu accounts. All work conducted until the end of my Title X contract was to be done from home or a non-government site.

In addition to maintaining slanderous/libelous charges (about which I was never able to confront my accusers) in any administrative proceeding, the Center's "bargaining position" was that, despite by rule and regulation them having to give me a contract for at least one additional year, they were offering a "one pay period (80 hours) extension" past Christmas Eve, 2011. As Tom Devine (my pro bono lawyer from the Government Accountability Project) tried to negotiate my return to work in the summer and fall of 2011, I was repeatedly threatened by LaPlante by email; my duties were changed significantly, effectively demoting me, and my annual evaluation downgraded to less than "Outstanding," despite my unimpeachable and impeccable service.

Even while under medication and under attack from malevolent Center senior staff, I did not act in an unlawful or physically threatening manner, as did other CHDS employees, whose contracts were renewed, or re-employment sought, even after breaking rules, regulations and/or laws, and even screaming at senior staff that they would beat the "sh__" out of them, or throwing chairs at them. Not to mention the solicitude given to non-American fellow Professor Jaime Garcia Covarrubias, a former member of a state terrorist organization that killed two people in Washington, D.C., and who himself was later indicted in a civilian court for his alleged role in the torture and murder of seven detainees.

Who in the agency knew of the activity

Professor David Spencer, Center Chief of Consultant Frank McGurk, Kenneth LaPlante, Dean John Thompson, Ambassador Cresencio Arcos, others

Protected Activity No. 14

Unethical pay, management, sexism and ethnic discrimination issues. On June 28, 2011, following my public disclosure of unethical and/or illegal activities at the Center, Harvard Professor and CHDS contractor Joseph Tulchin sent me an email about the "unethical manner" in which he was being paid by CHDS and on the "equally unethical manner in which the project I was to conduct or manage was being interfered with. ... In all cases of interference, the director (Downie) sought to replace Latin Americans, and women with older (much older) white males who were of inferior academic quality.

Subsequent reprisals against me included, but were not limited to, a failure to renew my contract in accordance with rule, regulation and/or law; a senior staff campaign of slander and libel against me; my being banned as a supposed security risk from Fort Leslie McNair; detrimental change in my work status/duties; engaging in phony "ethics" inquiries about me and my closest serving and former CHDS colleagues; badmouthing me to potential employers, and a related downgrading of my annual job performance evaluation, the last until I agreed to sign an illegal contract of adhesion in order to support my family in extremely difficult times.

Who in the agency knew of the activity

Knowing how corrupt and/or morally bankrupt the Center leadership was, and how it was protected in particular by senior National Defense University officials (the role played by NDU attorney Mollie Murphy became proof positive of the goings on), I sent out an email that same day to a large number of DoD officials and others, hoping (against both the odds and CHDS's institutional history) to positively bring some attention to this and other issues.

Protected Activity No. 15

The date and substance of the activity

In August-September 2011 my protected (an already in many cases, documented) disclosures about wrongdoing at CHDS and NDU were again sent through the (corrupted) chain of command. Proof lies in emails that had been sent by me and in the response(s) of LaPlante and Downie.

Acting under Downie's authority, in the fall of 2011, LaPlante attempted to launch a phony ethics inquiry against me and against a fellow professor with whom I worked closely. While completely unsuccessful as it was not based on a real concern (as evidenced no less by the response of the DoD ethics official LaPlante was trying to enlist [unbeknownst to him]), the move helped instill fear in the fellow professor (as expressed in an email to me) as well as in other CHDS employees (as evidenced even in the ersatz AR15-6).

As there was no action taken against LaPlante for his palpable misconduct in trying repeatedly to use perhaps legitimate rules and regulations for the personally-tainted purpose of foiling any outside oversight of CHDS senior management, it showed the complete impunity he could employ against other potential truth tellers, who then had even more reason to not accompany me—despite my previous acceptance/popularity among my U.S. Southern Command and National Defense University colleagues. This fear was clearly demonstrated later during the phony AR 15-6 "investigation."

There is no record of LaPlante ever seeking any ethics inquiries—much less publicizing them while doing so to a group of Center colleagues—of those senior CHDS staff demonstrably shown to be ethically challenged or even morally and/or statutorily corrupt. LaPlante even read me the riot act for allegedly not having shown up at a mandatory ceremony featuring none other than serial miscreant Craig Deare. Given that LaPlante and Downie later launched a supposedly exculpatory AR 15-6 in the face of my substantive disclosures, such behavior was clearly meant to further intimidate those who might plan to speak truth to power.

Who in the agency knew of the activity

Richard D. Downie, Kenneth LaPlante, NDU attorney Mollie Murphy, Professor David Spencer, Dean John Thompson, others.

Protected Activity No. 16

The date and substance of the activity

The following concerns my continued efforts to enlist colleagues to come forward with evidence of ill deeds, sharing the information with me or with Members of Congress, and my sending emails to colleagues and senior-most officials in the (corrupted) chain of command from the period June 2011 to December 2011 about what was really going on.

As a result I was required to sign a demonstrably illegal "Settlement Agreement" (nondisclosure agreement, NDA) that shielded unlawful behavior at U.S. Southern Command and/or the National Defense University or lose the entirety of the year-long contract to which I was entitled by rule, regulation and/or law during 2012 (possible blackmail). In addition to maintaining slanderous/libelous charges (about which I was never able to confront my accusers in any administrative proceeding), the Center's "bargaining position" was that, despite by rule and regulation their having to give me a contract for at least one additional year, they were offering a "one pay period (80 hours) extension" past Christmas Eve, 2011.

As it turned out, although by law I was entitled to another one-year Title X contract (Downie and LaPlante had forgotten to advise me that my contract would not be renewed at least six months before the one in 2011 ended), CHDS senior management—having already engaged in a campaign of intimidation, slander and libel against me—required me to sign the notorious "Agreement" in which my contract would be extended only for three months, "negative" information about me would be removed from my file, and I was given a revised, abbreviated (and suspiciously constructed) 2011 "Outstanding" annual performance evaluation, rather than the original even more problematic rating given to me as part of their reprisals. (Interesting how Downie gave a "letter of recommendation"—one of the terms of the NDA—to a person he had just slandered and libeled as a "security threat.")

In exchange, according to the illegal agreement shepherded and promoted by NDU legal counsel Mollie Murphy, I was forced to sign a publicly distributed "Apology." The "Settlement Agreement" also sought to make me a party to an illegal violation of the Lloyd-LaFollette Act, which attempted to restrict me from going to Congress, an Office of the Inspector General, or to the Office of Special Counsel about any past or current violations of rule, regulation and/or law by those still at the Center or elsewhere—"past or current"

personnel (for example, the Intelligence Community scofflaw Craig Deare at NDU). By its very nature and purpose it deepened a sense of imminent reprisal against anyone considering the lawful exercise of free speech against such practices, given this supposedly "confidential" settlement's public requirements.

The so-called "Agreement" was repeatedly used—by Murphy in representing Downie, LaPlante, Deare and CHDS, as well as by a private attorney representing Downie and LaPlante—to intimidate, or to attempt to intimidate, me in an effort to keep me from making my supposedly protected disclosures. All of these efforts occurring AFTER the NDA was signed, supposedly (according to the text) leaving me with no effective ability to appeal or redress their multiple failure to live up to their end of the bargain to end their misconduct against me and to restore my professional reputation. The employment by Downie and LaPlante of the previously planned out AR 15-6 "investigation" was meant to cover up wrongdoing and to discredit my truth telling occurred within 48-72 hours of the contract of adhesion being signed.

As even the AR 15-6 later reported (it had been kept from the public and, to the best of my knowledge, even from my Center colleagues, until pried loose—much later and as a result of my specific recommendation—by the Center for Public Integrity FOIA), many of those interviewed said they believed there were two standards of conduct at CHDS, one for Downie and his favored colleagues (read: corrupt crew and their willing subordinates/accomplices), and another for truth tellers, such as fellow whistleblower James Zackrisson, myself, and to some extent, Ambassador Cris Arcos.

Who in the agency knew of the activity

Richard D. Downie, Kenneth LaPlante, NDU attorney Mollie Murphy, Professor David Spencer, fellow whistleblower James Zackrisson (who had left his position by this time), Dean John Thompson, others.

Protected Activity No. 17

The date and substance of the activity

The imposition of an AR 15-6 in a civilian DoD institution that resulted in my having to receive "permission" from Mollie Murphy (who negotiated the contract of adhesion on behalf of serial wrongdoers Downie, LaPlante, et. al and someone who had knowledge of my disclosures about wrongdoing since at least June 2011) in order to meet with the military procedures' "investigator" (Saul Bracero), who admitted (even before he finished the ersatz probe) to my fellow whistleblower Jim Zackrisson that effort's instigators (Downie and LaPlante) would not act honorably on its findings.

An essential whitewash of my earlier disclosures that was conducted unethically did not even find those senior officials accused of wrongdoing/reprisal of "conduct unbecoming," despite being a military model of "investigation" that was imposed on a civilian DoD institution.

The signing of the contract of adhesion meant that I found it necessary to ask Mollie Murphy, an architect of that contract, if I could even answer questions that were posed regarding my earlier disclosures. LaPlante's December 21, 2011 email announcing the creation of an AR 15-6, to be supervised by himself and by Downie and carried out by a senior official of a sister institution itself recently "helped" by CHDS in a thorny EEO complaint (and thus not having a necessary "arms length" perspective required to investigate wrongdoing), listed exactly those concerns found in my initial disclosures. These were:

1. Hostile Work Environment involving but not limited to:
 - a) Supervisory/Management Misconduct/Mismanagement
 - i. Constant Reorganization
 - ii. Dual Standards
 - iii. Discouraging Efforts to Succeed

iv. Changing Process and Procedures

b) Ethics Violations

2. Resource Mismanagement

3. Racial Prejudice

(Although the Honduras scandal was mentioned by me in a June 2011 email, it was not included, nor was that involving Garcia Covarrubias, for reasons I have already explained as tactical decisions—the “Al Capone” paradigm and the need to protect classified information.)

Who in the agency knew of the activity

Richard D. Downie, Kenneth LaPlante, NDU attorney Mollie Murphy, Professor David Spencer, fellow whistleblower James Zackrison (who had left his position by this time), Dean John Thompson, others.

Protected Activity No. 18

The date and substance of the activity

In March-May 2012, fellow whistleblower Jim Zackrison and I tried to convince the then-head of U.S. Southern Command, Maj. General Doug Fraser, to have a real investigation conducted into gross wrongdoing at CHDS. Zackrison specifically pointed out that to Fraser the AR 15-6 “investigator” admitted to him that he was just going through the motions in taking on the case and that no real change would be implemented by Downie. Fraser then kicked our protected disclosures to Southern Command’s IG Glenn Olarte, who had done nothing about my disclosures when I offered them to him in June the previous year.

The adverse actions against me included warning shots by LaPlante, citing illegal contract of adhesion signed in December 2011, as well as LaPlante attempting to shoot down my previous disclosures by dishonestly citing the meager and secretive (not shared with me, Zackrison or, to the best of my knowledge, any honest CHDS staff) AR 15-6 as having disproved my previous disclosures.

Also, I have been told by Jim Zackrison that there exists first-person knowledge by someone willing to talk to the DoD OIG of LaPlante trying to kill my chances of employment outside CHDS.

There were no other employees who were not whistleblowers, or who were not potential whistleblowers, who were treated in a like or similar manner. The public disclosure of the failure of the Southern Command leadership to take effective action in favor of rules and/or regulations would have been / is embarrassing to the Department as a whole. (Please see news coverage of U.S. Southern Command personnel being involved, together with U.S. Secret Service agents, in a sex scandal during a Presidential visit to Colombia that same year.)

Who in the agency knew of the activity

Major General Fraser, James Zackrison, NDU counsel Mollie Murphy, CHDS Deputy Director Kenneth LaPlante, Center Director Richard D. Downie, IG Glenn Olarte

Protected Activity No. 19

The date and substance of the activity

Extensive documentation of disclosures regarding gross malfeasance and other violations of rule, regulation and/or law were given to the office of Representative Steny Hoyer, who then wrote to the then-Secretary of Defense Leon Panetta on May 23, 2012 to ask that the DoD OIG carry out a real investigation. “It is my hope that your office and the Department’s Office of the Inspector General will carefully investigate this matter,” Mr. Hoyer wrote. “I am very troubled about Mr. Andersen’s allegations that the leadership of

CHDS have actively worked to thwart recent and ongoing investigations.”

Hoyer made the request after LaPlante, a central focus of my whistleblower complaints, gloatingly if erroneously informed me that none of my protected disclosures had in fact upheld in the phony AR 15-6.

It needs to be stressed that, following Rep. Hoyer’s request, I was told by the DoD OIG that I had to allow my name to be used in an “investigation”, even as they knew the reprisals continued and as my pro bono lawyer tried to “negotiate” CHDS/NDU/MollieMurphy compliance with my rights as both a citizen/taxpayer as well as their backing off from current and possible future reprisals.

It should be also pointed out that, at this juncture, Murphy should have been fully aware of the CHDS senior staff “conduct unbecoming” behavior as well as the palpable fear of senior staff reprisal experienced by many of my colleagues, who saw what Downie, LaPlante, et. al did to quash employee First Amendment rights. These were even the findings contained in the ersatz AR 15-6 wielded by the wrongdoers to cover up even graver behavior (connivance with foreign state terrorists, unpunished hands-on support for the illegal 2009 military coup in Honduras, violations of the Federal Code, etc.).

Adverse actions against me included the continued ban on my visiting/using the NDU campus in the same fashion accorded other taxpayers. Mollie Murphy admitted to my lawyer that she could not/would not do anything until Downie left CHDS, even though she claimed it was an NDU (who she also represented), rather than a CHDS, decision. It needs to be pointed out here that what was at issue was my being able to have access to the rest of the NDU campus, NOT the corridors housing CHDS.

So why then was the approval of CHDS Director Downie, a focal point of the disclosures by Zackrisson and myself, needed at all?

Reprisals also included my inability to be able to communicate with colleagues using their NDU.EDU email addresses; LaPlante’s grossly unprofessional “poll” of my former colleagues as to whether the physical ban should be retained (their provable support for my return was ignored), showing that the maneuver was nothing more than an effort by Downie and LaPlante to keep my colleagues on a short leash, effectively giving additional internal publicity to my being banned for speaking truth to power.

Also taking place, LaPlante calling around town telling people not to hire me, as well as Downie and LaPlante keeping my path-breaking academic work off the Center’s Web site and/or, unlike that of other (their favored and frequently complicit) colleagues, hidden away from outside access.

Finally, my pro bono lawyer repeatedly told me of his own reluctance to engage in necessary legal “saber rattling,” given his extended and necessarily preferential commitments to paying clients and his serious concern that, in the way Downie, LaPlante, et. al, had carried out a sustained campaign of libel and slander (artfully brandished by Molly Murphy), continued disclosures and/or a frontal campaign to have my rights respected would result in their engaging in strategic lawsuit against public participation (SLAPP) intended to censor, intimidate, and silence me by burdening me and my family with the cost of a legal defense until I abandoned my criticism and opposition. This was even more a concern given the precarious financial situation my family and I suffered for which they were responsible.

In September 2012, my pro bono attorney warned Murphy (representing Downie, LaPlante, et. al) that, “if we’re still twisting in the wind I’ll start preparing the next round of legal filings after Congress adjourns next week.”

There were no other employees who were not whistleblowers, or who were not potential whistleblowers, who were treated in a like or similar manner.

Who in the agency knew of the activity

Professors David Spencer and Evan Ellis; senior CHDS staff (and, I believe, NDU lawyer Mollie Murphy)

Protected Activity No. 20

The date and substance of the activity

As a/the main source for media stories about the case of CHDS Professor Jaime Garcia Covarrubias and his alleged links to a state terrorist organization and the torture and murder of at least seven unarmed detainees, I allowed *McClatchyDC/Miami Herald* to identify myself in their hard-hitting two-part investigative series about the U.S. Southern Command / National Defense University scandal. I ensured that they contacted Senator Patrick Leahy, the author of the Leahy Law prohibiting U.S. assistance to military units and members of foreign security forces that violate human rights. (Leahy's comment: "Reports that NDU hired foreign military officers with histories of involvement in human rights abuses, including torture and extra-judicial killings of civilians, are stunning, and they are repulsive.")

The adverse actions against me included the continued ban on my being able to contact colleagues using their NDU.EDU email addresses. My academic work was still hidden from view on the CHDS Web site, which damaged my ability to seek work based on my erstwhile recognized accomplishments, which made it necessary for me to post copies of my CHDS work on other Web sites, something that nevertheless was never provided as forceful an image as being on one operated by, and identified as belonging to, DoD.

As my path-breaking work as the Editor of the CHDS academic publication, the *Security and Defense Studies Review*, was my crowning professional achievement during my last years at the Center, the fact it was no longer published on the CHDS Web site strongly detracted from my ability to obtain work in my field of interest and expertise. I was also unable to attend an NDU event to which I had previously been invited; the explicit reason for the written dis-invite was the Downie, LaPlante and Murphy-imposed and maintained ban.

Who in the agency knew of the activity

Virtually everyone.

Protected Activity No. 21

The date and substance of the activity

Continued disclosure to Members of Congress of the truth telling by Zackrisson and myself, including of the failure of the DoD OIG to investigate violations of rules, regulations and/or law. (This failure seemed to confirm wrongdoer and torture advocate Ken LaPlante serial bragging that, as a former senior member of the Army OIG, he knew how to keep inquiring outsiders at bay and thus keep Center Director "out of jail.") My highly public stance, refusing to obey the illegal NDA brandished by NDU lawyer Mollie Murphy to keep me quiet, was meant to help keep other potential whistleblowers from being intimidated (as well as to help restore my Downie, et. al-damaged professional reputation), despite the lid on wrongdoing having been dramatically, if partially, lifted by the Garcia Covarrubias stories.

The efforts to inform Congress resulted in a September/October 2014 request by the then Senate Armed Services Committee (SASC) Chair Carl Levin to the Secretary of Defense, asking that the DoD OIG conduct a real investigation. Senior SASC staff said the Committee's willingness to go forward was based in part on worries about a resuscitated "School of the Americas," a notorious entity closed by Congress in 2000.

These efforts were reinforced by CHDS Professor Evan Ellis' email suggesting that, despite an official public posture that continued to suggest that there was nothing wrong, those responsible for overseeing the Center had engaged in institutional efforts to contain the damage done to its public mission. For my part, I made (ultimately unsuccessful) efforts to reach out in a positive fashion to the incoming replacement of LaPlante.

The adverse actions included threats of a SLAPP suit by a private attorney representing Downie and LaPlante (the latter at the time still employed by DoD), citing provisions of the illegal "Settlement Agreement" facilitated by Downie and LaPlante cohort Mollie Murphy.

It also included the case of assault (purposefully inflicting immediate offensive physical contact) against me by Downie at a seminar at the Center for Strategic and International Studies (CSIS).

Meanwhile, the ban on my sending emails to those having a NDU.EDU account continued. The Center furthermore failed to acknowledge, either publicly or (to the best of my knowledge) to assembled CHDS faculty and staff, my vindicated disclosures and my ethical/legal role in them. I remained unable to obtain one of the scores of federal jobs for which I applied, was highly qualified, and for which I received not even an interview. Other adverse actions came due to the failure of the DoD OIG to conduct anything resembling a real investigation, failing to even interview me in person, and arguably spending more time and resources in thinly-disguised misrepresentations to Members of Congress and the public than anything else.

Nor was I invited, despite my vindicated disclosures (even in the functional AR 15-6 cover up, and certainly in the U.S. media coverage on the case of Garcia Covarrubias, as well as in classified feedback to my Intelligence Community Congressional Disclosures), to NDU/Southern Command events, including the William J. Perry Award presentation to Richard Millett, even though I was a friend of Millett's since 1989 and since that time a co-author with him of academic publications. This is dispositive particularly given that I had been—as the award coordinator since its inception until I left CHDS—a primary proponent of Millett receiving it, an initiative mocked by Downie's patron Craig Deare. (Additional information about my relationship to Millett is contained in my second Congressional Disclosure [1808], given to the Intelligence Community OIG, a copy of which, at my request, was sent to Mr. Fine.)

There were no other employees who were not whistleblowers, or who were not potential whistleblowers, who were treated in a like or similar manner. The tenor of the continued reprisals, including those focused on Downie and the continued risk of a SLAPP, is in evidence in the material that I have previously provided to the DoD OIG.

Who in the agency knew of the activity

Richard D. Downie, Mollic Murphy, Kenneth LaPlante, James Zackrison, Evan Ellis, Craig Deare, and others.

Protected Activity No. 22

The date and substance of the activity

Disclosure to a current employer whose public reputation is paramount of the recurrent and highly problematic wrongdoing of a senior CHDS/NDU officials in areas directly contrary to the declared mission/values (these include human rights, ethics and free speech). The official, Craig Deare, had just announced that he was publishing a book on the Mexican military with them. Deare had also just been appointed by the then-National Security Council Adviser, General Michael Flynn to the most senior Western Hemisphere slot at the National Security Council. It should be pointed out that national security scofflaw Deare received his appointment from someone who has since pleaded guilty of making a false statement to the FBI in relation to an investigation into a Russian dictatorship that was at the same time making a concerted effort to gain influence and public presence in the Western Hemisphere, in real or suspected alliance with Cuba, Venezuela, Nicaragua and Bolivia, among other authoritarian regimes.

The publishing house was one where I was nominally employed and which had published one of my books (on the indigenous peoples of Latin America; racism against Native Americans was rife at CHDS, and my work warned of inroads being made with some 15 percent of the Hemisphere's people by those same regimes). The book's Forward was written by the highly-respected former National Security Adviser Robert Pastor.

Despite all this, or perhaps because of it, after expressing my concerns to the publishing house (which gave me a 1099 for filing for 2017), warning them of the likely strategic communications nightmare publishing a Deare tome could mean, my now former pro bono attorney received an intimidating email from Murphy, representing Deare. In it Murphy claimed, based on partial information about which she did not even seek "clarification," that I was in likely violation of the "Settlement Agreement." It needs to be emphasized that the document she invoked was not only a violation of the Lloyd-LaFollette Act but is also arguably a violation of the American Bar Association's ethics rules.

(See, for example, Vince Farhat and Calen Russell, "Houston, We Have a Problem," Clients Who Engage in

Unlawful Conduct During Your Representation,” in the Winter-Spring edition of its Criminal Justice Section’s White Collar Crime Committee: “In general, if a client is engaged (or plans to engage in criminal/fraudulent conduct, the lawyer often may and sometimes must take remedial measures, including withdrawing from the representation.” @
https://www.americanbar.org/content/dam/aba/publications/criminaljustice/wcc_newsletter_unlawful_conduct.authcheckdam.pdf)

Just two days after I wrote an Op-Ed for McClatchyDC/Miami Herald on how Deare should follow General Flynn out the door the CHDS/NDU/NSC miscreant was fired for cause by Commander-in-Chief Trump.

Deare’s gross misconduct as a “Fellow” working on the Senate Intelligence Committee, for which he lost his security clearance, should have been enough to keep him from seeing our nation’s most sensitive classified information. This all the more so given his serial misconduct and a dire lack of a positive record of respect for women and minorities, so at odds with that spelled out by General Martin E. Dempsey, the former Chairman of the Joint Chiefs of Staff in his highly-praised *Radical Inclusion: What the Post-9/11 World Should Have Taught Us About Leadership*.

Among the unfounded and insulting criticism in Deare’s book was that directed against former NORTHCOM/NORAD Commander Gene Renuart, an Iraq war hero. Nonetheless, the serial wrongdoer was never to the best of my knowledge brought to heel for his narcissistic and discourteous outbursts—at CHDS, up to and including masturbatory gestures at staff meetings—nothing more than self-promoting bile in his book, goes unpunished.

Please compare this to how I was treated amidst a culture of lawlessness and impunity at NDU and U.S. Southern Command, due to my repeated disclosures of violations of rule, regulation and/or law, including international law.

Who in the agency knew of the activity

Craig Deare, Mollie Murphy, Dennis Caffrey, James Zackrison, others.

Time Line of Key Incidents / Reprisals

1. Background

2. Adverse Actions (AA) / Security Actions (SA)

3. Additional Evidence of Reprisal

* * * *

1. Background

1986

— As *Newsweek/Washington Post* journalist travel with Senator Edward Kennedy to Santiago, Chile, where he is greeted with violent protests by supporters of dictator Captain General Augusto Pinochet while embraced by leaders of Catholic Church and human rights community.

1993

— Senator Kennedy publicly endorses my book on the Argentine “dirty war,” which is also called a “tour de force” on a military run amok in a full-page review by the Sunday *New York Times*.

1997-1998

- Lt. Col. Craig Deare, in 2005 CHDS Academic Dean, spent a year as a “fellow” in the office of then Senator Bob Graham, D.-Florida, he forged his own evaluation by “signing” Graham’s name with a robo-pen. When this was discovered, Deare lost his security clearance. (I knew Senator Graham personally, having traveled with him to the Soviet Union, working closely with his staff director on the Senate Intelligence Committee and having supported the senator for president.)

I was later given a hard copy of a (unsigned by Graham) draft letter (June 7, 2004) apparently written at CHDS for Graham’s signature and found on CHDS Director Richard Downie’s personal computer documents file.

September 11, 2001

- Personal witness of terrorist act against Pentagon; met wife for first time; *Organization of American States outlaws support for military coups, with strong support from then Secretary of State Colin Powell.* (See CHDS proactive role in favor of 2009 Honduras coup, below.)

2005

- In July served as expert witness for Italian government in case against Pinochet; testimony taken at the Office of the U.S. Attorney in Baltimore; that evening, famed anti-organized

crime prosecuting magistrate Giancarlo Capaldo guest of honor at my home.

2006

A. Craig Deare extra-marital affair with CHDS consultant (Ventura Group, Inc.) under his control; Deare remains employed, contract of fellow CHDS Dean Dennis Caffrey (my direct supervisor at the time) not renewed by Deare's close friend and Center Director Col. Richard Downie after Deare slanders Caffrey by accusing him of being the one having a marital affair at CHDS. (Deare is also very close friend of Professor Jaime Garcia Covarrubias, who was later indicted by a civilian court in Chile for the torture and murder of seven people.) Ventura Group, and Deare's lover, remain on contract with CHDS for at least six more years.

B. Outside consultant (politely but tellingly) says major management improvements needed at CHDS in "CHDS Status Check: May-June 2006"; his contract is not renewed. **One of his most important observation: "Feedback and pushback are risky, esp. up the hierarchy."**

2007

A. For a Regional Conference in Lima, Peru, Col. (ret.) Downie, acting against the specific recommendation of Dean Dennis Caffrey, myself and others, spent more than \$10,000 for an honorarium, plus travel for two, for his graduate school and

politically-connected professor to give an outdated and rather pedantic speech that was edited, re-edited, translated and re-re-edited by the contractor's translation team. Based on my recollections, normal honoraria for VIPs seldom go over \$750. Defending Downie, LaPlante uses (for one of first times heard by me) a later much-repeated (by him) phrase that, as a former Army IG official, he knew how to keep at bay the prying eyes of IGs and that his most important role at CHDS was to keep Col. Downie "out of jail."

B. "Constructive dissent mailbox" is recommended by me to Downie and LaPlante to encourage greater transparency; shot down by Col. Downie, who ridiculed the idea, who claimed that his "door (was) already open."

2008

A. My February 1st efforts to bring focus on serious management issues (later underscored by otherwise AR 15-6 whitewash written by Saul Bracero) dismissed by Downie and LaPlante.

B. In February Garcia Covarrubias case uncovered involving at least 7 people tortured and murdered, including former Catholic priest, discovered early that year by me. Under Downie's supervision, LaPlante tells me that I am to "head" an investigation, which turns out to be a Potemkin village as I was given no resources or authority to do anything.

C. On April 9th, in a meeting with a top official of a CHDS sister institution, also co-located at National Defense University, LaPlante introduced me as "Mick Andersen, my Butt Boy."

D. May conversation with Col. Downie reveals he had decided to hire Craig Deare cohort Thomaz Costa as academic dean (supposedly to replace Deare, who retained extraordinary behind-the-scenes power) even before interview process with other candidates was completed.

Also told by General (ret.) John Thompson they were going to circumvent veterans' preference question in order to hire contractor Kara Oryan in a permanent position.

E. In May Senator Kennedy diagnosed with brain tumor; Garcia Covarrubias makes snide and supposedly joking comments.

F. November e-mail exchange about another Argentine death squad member, Julio Cirino, being feted at CHDS. Nothing done.

G. U.S. Presidential elections pit two anti-torture candidates of the two major parties. I had written extensively about the practice of torture and why it is not only morally repugnant, but also highly counterproductive and a "strategic communications" (my job) nightmare.

2009

A. February 9, CHDS senior officials advocate behind closed doors Argentine-style dirty war techniques in Mexico. (One of the advocates, key John Thompson aide Michael Borders, also engages in breaking important rules on classified national security information but is unpunished. Borders claimed that he knew a "friend" of CHDS, Dr. Hal Klepak, was a Cuban agent, naming him by name and citing classified information that, if true, should not be mentioned before people without security clearances.)

The way dirty war techniques for Mexico were discussed was an implicit challenge to me to verbally challenge CHDS Deputy Director and Michael Borders. I declined to do so, choosing instead to write a brief MemCon to myself, remembering my previous experience as a national security whistleblower at the Justice Department and that "contemporaneous documentation is key." Borders had, just a few days earlier, screamed in the hallway that he was going to beat the daylights out of me, after he misunderstood a joke I was sharing with another colleague.

B. Professor James Zackrison confidentially submits request for IG investigation of CHDS senior staff using a document I had helped him prepare. On September 9th, I receive what is in retrospect an obviously over-optimistic message from him, given LaPlante's bragging:

Mick, I spoke with a rep at the DOD IG today, my complaint has been received, and given a case number. News will probably break shortly ...

C. Despite my best efforts, unbeknownst to me Gen. (ret.) John

Thompson provides contemporaneous services for successful Honduran coup plotters; senior CHDS officials work hard to cover up efforts by Thompson and his minions, talking of even trying to buy off former CIA official who got wind of illegal activity of Thompson et al.

Since the coup d'état, the repression of human rights defenders, activists, journalists, unionists and teachers has been severe.

(See: Nina Lakhani, *Berta Caceres's Name Was on Honduran Military Hitlist, Says Former Soldier*, The Guardian, June 21, 2016, <https://www.theguardian.com/world/2016/jun/21/berta-caceres-name-honduran-military-hitlist-former-soldier> (last visited June 21, 2016); *Month of Violence Turns Honduras Into World's Most Dangerous Country for Journalists*, Reporters Without Borders for Freedom of Information, April 2, 2010, <http://en.rsfs.org/honduras-month-of-violence-turns-honduras-02-04-2010,36850.html> (last visited Jun. 24, 2016); *Rule of Law and Civil Liberties Founder in Year Since Coup*, Reporters Without Borders for Freedom of Information, June 28, 2010, <http://en.rsfs.org/honduras-rule-of-law-and-civil-liberties-28-06-2010,37820.html> (last visited Jun. 24, 2016); *LACHR Concerned About Human Rights Violations in Honduras*, Inter-Am. C.H.R. Press Release No. 54/10, May 19, 2010, <http://www.cidh.org/Comunicados/English/2010/54-10eng.htm> (last visited Jun. 24, 2016); *Preliminary Observations of the Inter-American Commission on Human Rights On Its Visit to Honduras*, Inter-Am. C.H.R., May 15 to 18, 2010, OEA/Ser.L/V/II, Doc. 68, June 3, 2010, <http://www.cidh.org/countryrep/Honduras10eng/Honduras10TOC.eng.htm>).

How could Downie plausibly claim, as he did, that investigating the Garcia Covarrubias case was not a strategic communications function--and thus I should back down--while at the same time throwing me out of senior staff meetings in which the cover-up of Center participation in the 2009 coup in Honduras was discussed (clearly as strategic communications question)?

D. Complained to LaPlante and Downie about outrageous conduct of Mike Borders towards the working press

attending a conference in Cartagena, Colombia in July, after which they tried to turn my complaint around by making me respond to Borders vicious and clearly dishonest defense. Borders physically confronted me in Cartagena as I tried to defend the journalists against his verbal attacks for eating food at the conference that they were in fact allowed to eat.

E. Senator Edward Kennedy dies August 25. More smug comment from Garcia Covarrubias.

F. In September, “NDU linked to far-right CHDS student Nicolas Marquez” accused of sexual molestation of his son. (Question: How come only “problem” at CHDS is with admission of far-right and/or death squad members? Could that have something to do with Center’s over all ideological bent/willingness to overlook alleged/proven criminal behavior by those they agree with?)

G. Later that year, I decided to go the route of Eliot Ness in his fight against mobster Al Capone, i.e.: if I couldn't get them for "murder"--remember, they now had me backing down on Garcia Covarrubias, lest I lose my job--I would get them on "tax evasion"--i.e.: the other wrongdoing in which they were involved with for which I sought to have contemporaneous documentation to make my case once I left CHDS.

H. Walked out of CHDS afternoon staff and intern "recreation" involving movie using soft-core pornography and violence against women.

I. Attempted for more than a year to be recruited as an analyst at the CIA, using the good offices of an important NDU official, finding out off the record that, because of my age, any application would not be accepted.

2010

A. On September 10, Thompson came into my office, shut the door, showed me a raft of papers from CHDS students and said that, with the money we spend per student on our advanced courses, we could open ourselves to "criminal investigation" because of our "criminal culpability" in the way we spend money on this aspect of our program. Said that we were wasting taxpayer money and that it should stop.

B. November memo to file ("Apropos of Abe Lowenthal, Joe Tulchin, etc.") using NDU.edu and citing <http://www.dsca.mil/ogc2010/ethics%202010/default.htm>

"Employees shall act impartially and not give preferential treatment to any private organization or individual."

2011

A. Case of gross sexism involving innocent woman attendee of CHDS course; Center (insider) professor not punished.

B. Learn of, by being shown the e-mail by Ambassador Cris Arcos, the circulation to faculty, staff and interns of e-mail portraying First Lady Michelle Obama as an orangutan; issue addressed in more than two meetings in Arcos' office about what to do, since no one expected Cols. Downie or LaPlante to do anything about it, as the e-mail came from the wife of a professor in Downie's inner circle (favoritism). I spoke to Downie and LaPlante about it on February 25, with LaPlante claiming that this mother did not like black people but that she was not a racist. Downie then said that how exaggerating claims of race is how "some of these people" habitually act to win their cases--perhaps reflecting the decision shortly thereafter to hire an Africa Center employee who had lodged a racial discrimination complaint against that Center (and whose Deputy Director --at least later that year--was the future AR 15-6 "investigator" Saul Bracero).

C. To the best of my memory, it was early in 2011 that I stopped counting the times that LaPlante repeated variations of the phrase that, as a former Army IG official, he knew how to keep IG offices at bay and that his principle task was to keep Downie out of jail.

By this time, LaPlante had said it in front of me 36 times in various circumstances--including those in which criminal actions/gross malfeasance were being discussed--and, as something of a joke, I stopped counting as 36 was one of my "lucky numbers" as a child, and I knew that once I left CHDs I would be providing the DoD IG and, confidentially, to members of the responsible press and

Members of Congress, with my own set of documented "disclosures."

D. Near fatal car crash and discovery of large brain tumor; initially told after first surgery that it was malignant and that I would probably die within 3-5 years; given prescriptions for three powerful psychotropic medicines. Second brain surgery two weeks after; rare tumor found not to be malignant.

E. In May 2011, Deare was feted by Downie at an apparently mandatory-attendance ceremony at the National Defense University. Between the first and second surgeries was told to attend CHDS ceremony in which morally repugnant former CHDS Academic Dean Craig Deare was featured as an honored guest.

Ambassador (ret.) Cris Arcos, who is usually very diplomatic and unruffled, later expressed his disgust by comparing Downie, Deare, Bitencourt and Costa's appearance on stage to that of "four dogs smelling each others' behinds and licking each others' private parts," which—although very graphic—was true.

F. Anger at false accusation made by LaPlante about not having to attend unethical celebration, plus three prescription drugs, cause me to send out the first of several poorly written e-mails that, while never entering into profanity, fully expressed disgust at repeated violations of rules, regulations and laws at CHDS.

Ambassador Arcos sends me e-mail warning on May 30 ... "let us see what state of warpath they are tomorrow ... they will seek blood."

G. In mid-June went to CHDS to take care of my own medical emergency paperwork, afraid that LaPlante would find a way to mess that up as well. While there, made comment to colleagues that as of August 1st "justice" will return to CHDS, a statement based on my doctor's optimistic assessment that I could return on that date and Arcos had told me that day that the SouthCom IG would be showing up around that time. My appearance at CHDS was courteous and non-threatening, based on my (optimistic) appraisal that since I had earlier that day sent out an announcement by email that I would go with my disclosures to the IG. In response, LaPlante and Downie worked to get the NDU President--who earlier had rhetorically promoted ethical behavior at Fort McNair--to ban my coming to the university as a security risk.

H. June 29. Re: My supposedly "offensive" emails, Luz Estella Ortiz-Nagle, who specializes in international law and international criminal law at Stetson Law and used to confront drug lords as a judge in Medellín, Colombia, wrote the following to me:

First allow me to tell you how much I admire your courage, perseverance and determination. Thank you for what you do. Here are my thoughts: **This is just another glaring example of how cronyism has overtaken our federal agencies and entities. There is a woeful lack of transparency and accountability that has a chilling effect on open and progressive discourse and the interchange of**

ideas, both liberal and conservative. Without an open exchange of intellectual pursuits and a meaningful effort and commitment to transparency in organizations such as the CHDS, then not only will the work product of such an organization be diminished, but the reputation of CHDS and ultimately the United States as a fair and impartial interested party in the region will be tarnished ...

I. Receive email on June 28th from Harvard Professor Joseph Tulchin, which in part stated:

"I will say only that the group of scholars I put together as part of the project was tampered with by the director, without communicating at any time with me. I was hired in large measure because I offered the CHDS academic or intellectual legitimacy that they could not otherwise earn on their own. In all cases of interference, the director sought to replace Latin Americans, and women with older (much older) white males who were of inferior academic quality."

- I. The complete institutionally-enforced inability to be able to face my libelous accusers in the summer of 2011 and afterward included Downie and LaPlante trying to get me and my business partners and CHDS colleagues Jim Zackrison and David Spencer investigated for a specious ethics complaint, which was knocked down in December 2011 by a DoD Ethics officer who the three of us had previously contacted and received his approval.
- J. On December 21st, the CHDS director launches ersatz AR 15-6 "investigation" of my whistleblower charges, appointing a fellow National Defense University Army officer to conduct ambiguous probe whose results are not binding and whose write up remained secret until a 2015 FOIA request. LaPlante's email announcing the decision entitled:

"CONFIDENTIAL MATTER -- Notice of Dir's Informal Inquiry (using Army AR 15-6 as basis)."

Both the announcement of the AR 15-6 "investigation" and its supposedly confidential (although I am sure Downie shared them to significant others to discredit me and to make it seem as if he did nothing wrong) findings clearly indicate that this was done in response to my whistleblower complaints. DoDIG use findings of this ersatz report as justification for *not* advancing on my whistleblower disclosures. Downie's creating a bogus AR 15-6 "investigation" was both a palpable quid-pro-quo with the Africa Center for taking on an official who had filed a racial discrimination suit against that Center, and *was meant to publicly discredit me and my disclosures after the contract of adhesion was signed.*

K. In December, attend White House Christmas party with family without any problem whatsoever regarding security at home of Commander in Chief. Ban at NDU continues.

2012.

A. At time I left CHDS as a federal government employee, the Center had had more than 3,000 "students/participants" from Latin America and the Caribbean. Of these only about 10, repeat 10, were indigenous peoples, in a region whose population is more than 12 percent of the entire region.

B. SOUTHCOM commander promises SOUTHCOM IG investigation; IG essentially does nothing.

C. House Democratic Whip Steny Hoyer requests a DoD IG investigation. Am told by DoDIG representative that only if I let my name be used could the investigation go forward. Restrictions violating the Lloyd-LaFollette Act that I was forced to sign before my contract would be renewed even for three months prohibited my going to the IG and I was already hearing that Downie and LaPlante were meticulously damning me with faint praise in the Washington community, so I felt that I could not go forward.

2013.

— Jaime Garcia Covarrubias is indicted for the torture and murder of 7 people in his native Chile, it being shown that in the 1970s he belonged to the DINA state terrorism organization responsible for the car bombing death of two people--one American--in Washington, D.C.

2014.

A. Jaime Garcia Covarrubias contract with CHDS finally comes to an end.

B. June 12th. Ken LaPlante leaves CHDS and his role as Acting Director; professor colleague Evan Ellis, who was being forced out

of his position at the Center by LaPlante, writes that Ken all but had MPs standing at his desk as he was being ushered out.

C. July 4th. Jaime Garcia Covarrubias was indicted for the permanent "disappearance" of another unarmed dissident; his alleged co-author in the crime is now being tried in Rome, Italy on another case having to do with his participation in the Operation Condor death squad program designed by Chilean dictator Captain General Augusto Pinochet.

D. On July 9th, 2014, received the following message re: Garcia Covarrubias from a retired CIA officer: "Outstanding, Mick. Great work!"

F. July 10th. David Spencer writes me an email in which he states the following:

Ken had a year and change left on his contract and they sent him to finish it at DSCA instead of staying at the center. He thought he was going to mentor Mark, but obviously, the higher ups didn't agree.

2015.

A. In March, According to a front-page article in the *Miami Herald*, an Immigration and Customs Enforcement (ICE) investigative office reportedly authorized to pursue criminal charges or expel foreign human-rights

violators was notified of the Jaime Garcia Covarrubias case in 2011. (<http://www.miamiherald.com/news/nation-world/world/americas/article13814051.html>)

B. Publication of an article by the Center for Public Integrity at that time included using their successful FOIA for the Bracero AR 15-6 report. The "Confidential Matter" of Downie's own AR 15-6 "informal inquiry" of wrongdoing by him and his cohorts, carried out by a U.S. Army Colonel from a sister NDU institution, later showed--despite its own ersatz nature--that many of my CHDS colleagues "outside of leadership positions *felt that to raise any issues would result in retribution or even termination.*" (Italics added.)

In addition, it said that "many employees did want to remain anonymous for fear of retribution, citing the examples of Mr. Martin Anderson (sic) and [_____] from the Center's leadership because they believe that the Center's has shown a propensity to retaliate against employees that speak out or against the Center's leadership. ... Several employees pointed at Mr. Andersen's allegations against the Center and the consequences he has faced as an example of a hostile work environment" (pages 006-007).

* * * *

2. Adverse Actions (AA) / Security Actions (SA)

AA1:

2006 - Craig Deare initiates campaign of personal reprisal against

me for my leadership in challenging his unethical behavior and violation of rules and regulations, such as his sleeping with a highly-questionable CHDS consultant under his direct control and attempting to create a smokescreen for his own behavior by falsely accusing my supervisor at the time (Dennis Caffrey) of being the person cheating on his own spouse by engaging in dating of CHDS personnel.

AA2:

2007 -- LaPlante's claim that his principle expertise was in keeping outside IGs at bay and keeping Richard Downie out of jail can be viewed--as it was at the time--as an implicit threat to those questioning Downie giving an exorbitant contract to a mentor for the Regional Conference in Lima.

AA3:

2007-8. Promised that my Title X position would be changed to that of career civil service. Also promised that I would receive a security clearance, as required to attend U.S. Southern Command meetings on "strategic communications"--one of my main duties. Neither happened, as I began to question possible violations of rules, regulations and law at CHDS.

AA4:

2007 - Craig Deare engages deliberate (knowing) Argentine "dirty war" intelligence misinformation efforts before students, helping Mario Montono, a wealthy supposed former leftwing guerrilla in Argentina (chief aide to Mario Firmenich, the supposed leader of the largest urban guerrilla organization in Latin America who was a

double agent for the 601 Army Intelligence Battalion during the vicious dirty "war") in exchange for real and questionable personal benefits.

This action flagged before it happened by me, and I distributed to Downie, Deputy Director Ken LaPlante, Deare and others highly detailed letters from a legendary FBI Special Agent (Robert Scherrer), who clearly knew from high-level sources (including the 601 Intelligence chief who later worked with the CIA to organize the anti-Sandinista Contras in Central America) that Firmenich (and logically, by extension, his aide-de-camp Montoto) were in fact military dirty warriors. The presentations by Montoto at CHDS were factually absurd; the Deare-Montoto relationship flourish (including to Deare's economic benefit), and I was criticized by Downie and LaPlante for contesting freedom of speech in an "academic" setting.

See:

[https://www.academia.edu/23492166/Double Agent Mario Firmenich Argentine Montonero guerrilla leader and Army Intelligence operative 1](https://www.academia.edu/23492166/Double_Agent_Mario_Firmenich_Argentine_Montonero_guerrilla_leader_and_Army_Intelligence_operative_1)

and

[https://www.academia.edu/23490080/Double Agent Mario Firmenich Argentine Montonero guerrilla leader and Army Intelligence operative 2](https://www.academia.edu/23490080/Double_Agent_Mario_Firmenich_Argentine_Montonero_guerrilla_leader_and_Army_Intelligence_operative_2)

AA5:

My first Title X (W-2) "contract" was for three years--December 2005 to December 2008--the final year being that in which I blew the whistle on the distinct possibility that a fellow professor, the Chilean Jaime Garcia Covarrubias. Despite

"outstanding" annual evaluations, the following contract was only for two years.

AA6:

2009 - As decorated national security whistleblower on my own time I draft petition on First Amendment protections to incoming President Obama; document signed by 20 other national security whistleblowers. Told by Col. Ken La Plante that that was the first and last time I would engage in such activity.

AA7:

Mid-to-late 2009 – Told by Col. La Plante that if I did not concur in writing that the ersatz “investigation” they put me in charge of—but prohibited me for doing virtually anything but Google searches—did not clear Garcia Covarrubias, they would find a way of getting rid of me. Warned that Garcia Covarrubias' close friend Craig Deare would help ensure that this happened. This during worst economic downturn in the United States since the Great Depression. I complied, even though I was afraid this action would discredit me as I moved forward, as LaPlante, Downie and Deare would cite it as buttressing their pro-Garcia Covarrubias position and throwing into question my motives and judgment.

AA8:

Late 2010 – On December 14 I sent Col. LaPlante an e-mail in a final effort to bring to his attention how in the case of Garcia Covarrubias would affect CHDS if widely known (strategic communications question):

As I noted:

“I only backed away after the Director, after snide comments by Tomas Costa and Craig Deare, told me to stop being an investigative journalist and get back to my strategic communications duties.

“This despite my memos clearly stating that I was looking into all this on my own time, and of course, the image of the Center *is* a strategic communications duty, as the articles in the Chilean press this past week clearly show.”

AA9:

Late 2010. In December, again despite an “outstanding/excellent” annual job evaluation, my contract was renewed by Downie and LaPlante only for one (1) year.

AA10:

2011 – In May, receive concrete job offer at another National Defense University institution (Center for Technology & National Security Policy / CTNSP), told I would be starting within three weeks ... learn CHDS deputy director Ken LaPlante seeks to torpedo offer.

A11:

2011 – On May 27th, Downie and LaPlante restrict me from expressing personal opinions publicly.

AA12:

2011 (late May) - Between first and second surgeries was told to

attend *obligatory* CHDS ceremony in which morally repugnant Craig Deare was lavishly honored by Downie; although I did in fact attend, LaPlante afterwards bursts into my office, accusing me of not having attended and making other provocative statements, apparently to bait me. (Deare lieutenant Tomas Costa actually stood in the front of the room at the beginning of the ceremony, looked at me, pointed to his own head and made a facial gesture suggesting that he--I--was grossly mentally deficient.) Several CHDS senior staff saw it and laughed.)

Anger at being falsely and provocatively accused about not having to attend unethical celebration, plus three prescription drugs, cause me to send out the first of several poorly written but factually accurate e-mails that, while never entering into profanity, fully expressed disgust at repeated violations of rules, regulations and laws at CHDS.

Former Ambassador Cris Arcos sends me e-mail warning on May 30 ... “let us see what state of warpath they are tomorrow ... they will seek blood.”

AA13:

2011 – Given rules/regulations on contract renewal, I should have been informed in late June of 2011 whether CHDS planned to not renew my contract. In fact, in violation of that, I was not informed until late August, after being outed (then self outing) as a whistleblower who planned (and did) go to the IG.

Formal notification of non-renewal of my CHDS contract--required by rule/regulation/law six months before contract ends, otherwise contract is automatically renewed--was not given to me on or before the 6-month deadline. Notification of non-renewal of

my CHDS contract sent to me some two months AFTER required to be sent by rule/regulation/law; thus my contract should have been automatically renewed.

SA1:

On June 10, 2011, LaPlante sends me email/letter "directing" me to "cease and desist sending communications on alleged improper actions by CHDS personnel external to CHDS and outside official investigative channels." These, he later wrote, were "detrimental to the Center."

2011 - Returned to CHDS two weeks after surgery to do own sick-leave paperwork, out of suspicion LaPlante (already knowing I planned to go to the IG upon leaving CHDS for new NDU job) would create havoc with my petition.

Date: Thu, Jun 16, 2011 at 5:21 PM

Subject: Fwd: Complaint about Center for Hemispheric Defense Studies (CHDS)

To: glenn.olarte@hq.southcom.mil

This begins my formal complaint against gross lack of ethics, leadership, arms-length dealings in finances, racial and ethnic discrimination and other important questions at the Center for Hemispheric Defense Studies (CHDS), which is located at National Defense University but whose director is rated by senior SOUTHCOM officials.

(Signed),
Martin Edwin Andersen

June 16 is also the day I sent out 6:42 AM e-mail, "Subject: Inspector General Offices, CHDS and Prospects for Change and Justice" in which SOUTHCOM Inspector General Glenn Olarte is cc:d.

SA2. On June 22, Downie sends out "A Message from the CHDS Director," using my CHDSSTRATCOM@NDU.EDU address, saying that:

"The allegations in the emails involve a number of current and former CHDS personnel and relate to alleged incidents, some of which are five or more years in the past. Most of the allegations raised in these emails have already been addressed and closed. We are reviewing each of the remaining allegations to further ensure that appropriate action has been taken. In this review, we are working closely with appropriate authorities of the National Defense University and the Defense Security Cooperation Agency.

"Please contact the CHDS Dean of Students, Administration & Outreach, John Thompson at: thompsonj17@ndu.edu if you have any questions or concerns.

SA3:

On June 17, La Plante sends me email a "Notice of Revocation of Access to Facilities of the National Defense University, Fort McNair, Washington, D.C., signed by the President of NDU.

Prohibiting me from returning to CHDS in person, created a phony security threat to do so. This after LaPlante's CHDS cohort Michael Borders--himself a behind-the-scenes advocate of death squad-type repression in Mexico and someone who violated rules concerning classified information without any blowback--had screamed at me in a CHDS hallway that he was going to "beat the ____" out of me and nothing was done.

And after a CHDS employee who still works there threw a chair at a Dean but, like Borders, was not punished. Action against me was done unilaterally, based on falsehood, with no real chance of appeal to an independent authority.

[Please note that while Col. LaPlante hides behind claim that former DINA state terrorism figure Garcia Covarrubias was protected against mere “allegations”—having “all the rights of a U.S. employee”—these elemental rights were absolutely denied to me <http://www.miamiherald.com/news/nation-world/world/americas/article13814051.html>

Also, that CHDS’s previous interaction with EEO office was widely considered a joke and that Laplander many times bragged he knew how to “handle” outside IG inquiries].

SA4:

On July 6, 2011 LaPlante sent me an email/FEDEX letter saying same in more detailed way, ordering me to "follow proper procedures and policy" -- this from someone who, regaling in self-description of former Army IG official, bragged dozens of times that he knew how to keep "outside" IGs/investigators "at bay."

SA5:

On August 29, 2011, LaPlante sends another "cease and desist letter via email telling (me) to stop and referring (me) to the Department of Defense Grievance process or DoD Inspector General" -- *both options LaPlante (a principle wrongdoer) previously bragged he knew how to derail.*

SA6:

On September 13, 2011, LaPlante notifies me that I would be suspended from a pay and duty status and from my position

at CHDS "for four (4) calendar days in accordance with 5 CFR 752.201," the "CHARGE: Failure to Follow Guidance and Instructions, specifically to cease and desist sending communications on alleged improper actions by CHDS personnel [Editor's note: Downie, LaPlante and Thompson, among others] to persons external to CHDS and outside of official investigative channels" -- which LaPlante, again, bragged he knew how to manipulate for Downie's benefit.

"Your conduct and behavior adversely affect this organization. This proposed suspension is intended to be corrective in nature and to impress upon you the need for more responsible action on your part," LaPlante added.

NOTE: *No such "corrective" actions were ever, to my knowledge, brought against Downie, LaPlante (a possible exception as stated in an Evan Ellis email), Thompson, Deare, et al., re: Honduras coup; gross personal corruption; (later indicted in civilian court) torture and murder of detainees, and cover ups of other violations of rule, regulation and law.*

SA7:

2011 - August, returned to work at CHDS, but limited to work either at home or other places outside the Fort.

SA8:

2011 – October 31 “Response to the Memorandum from Mr. Andersen’s attorney” ... “**Director, CHDS will not lift the ban that restricts Mr. Andersen from entering CHDS physical space. Mr. Andersen’s unannounced visit of June 16, 2011 had a terrifying effect on several people of CHDS.**”

The “terrifying ... threat” was my having said in an even tone of voice, that I would “justice will return” on August 1st, when I supposedly was able to physically return to work and erroneously had been told by Arcos that that too was the day the Inspector General would arrive to investigate wrongdoing.

(Terrified better describes CHDS employees who, during the Bracero AR15-6 phony "investigation," said that they would not talk due to their fear they would be reprimanded as had happened to Jim Zackrison and myself.)

AA14:

2011 -- Mid-December. LaPlante engages in phony "ethics" inquiry, meant not only to intimidate me and two of my closest colleagues (whistleblower Jim Zackrison and fellow professor David Spencer) at the time, but also to create even greater fear among those willing to cooperate with an outside investigation.

AA15:

The AR 15-6 established by Downie specifically cites my informal disclosures as reason for the use of the Army procedures at a civilian DoD institution, i.e.: so that ultimately he could claim that there was nothing to those disclosures. The following e-mail was sent to me by a respected staffer at the Project on Government Oversight who later went to work for the U.S. Office of Special Counsel:

On Mon, Jan 2, 2012 at 4:19

PM, Nick Schwellenbach <nschwellenbach@pogo.org> wrote:
Mick,

I hope this investigation will get to the bottom of things, but I'm not confident it will. 15-6 investigations are not independent of the chain of command.

Nick

It is to be assumed that, if he knew anything about the role he was conducting as an AR 15-6 "investigator," Saul Bracero should have characterized the disclosures of Zackrison and myself as relating to criminal behavior / gross malfeasance, not "policy." In doing so, intentionally or not, his observation has the effect of characterizing our disclosures outside of the whistleblower arena--to a place where we have even less ability to defend ourselves.

AA16:

2011 - Still recovering from brain surgery effects, forced to sign "voluntary" confidential "Agreement" on or about December 16th with Col. Downie, in open violation of the federal Lloyd-LaFollette Act and purposefully meant to cover up gross malfeasance as well as criminal conduct. In exchange for getting only three months of additional contract as a federal employee, I must sign a "letter of apology" to be distributed widely among the public, as well as to agree that I would not go to Congress, the Inspector General, the U.S. Office of Special Counsel or other government agencies to seek redress or to complain about wrongdoing.

This amidst a climate of great intimidation at CHDS, fueled by the treatment of me as well as the protection of wrongdoers who were part of the CHDS inner circle, and collateral damage done to those

who remained friends with me. The "agreement" protected those who repeatedly violated rule, regulation and/or law, while by its very nature and purpose deepening a sense of imminent reprisal against anyone considering the lawful exercise of free speech against such practices, given this supposedly "confidential" settlement's public requirements.

AA17 & SA8:

2012. My final, three-month contract ends in March. I am not permitted to send e-mails through the NDU e-mail system, I am still prohibited from coming to Fort McNair, despite several friends and colleagues there.

AA18:

2012. Email communication with US Southern Command Commander Doug Fraser, sent April 24, asked him to help end the ban of my going physically to NDU received seeming positive response, but no real help -- referring my case to an inoperative SouthCom IG.

AA19:

2012. The CHDS reprisal against me extended to Buenos Aires *after* I left CHDS. Due to contacts in Argentina (I had written an extremely well-received book on the history of Argentina's police as well as worked on police reform throughout Latin America for the Senate Foreign Relations Committee and for the Criminal Division of the U.S. Department of Justice), I was told that the security company I had previously created with Jim Zackrison and

David Spencer was favored to win millions of dollars in contracts with Argentina police departments. However, when I travelled to Argentina in May 2012, I found that the possibilities had all but dried up. I later learned that Mario Montoto, the supposed Montonero guerrilla who was chief of staff for Mario Firmenich, the Army 601 intelligence battalion and good friend of Craig Deare, had killed those possibilities.

AA20 & SA9:

2012. Continued reprisal against me by Cols. Downie and LaPlante, masked as “consulting” with colleagues at CHDS if I should be allowed to return to Ft. McNair (though not CHDS proper). Not only ridiculous in terms of me and who I am, this stunt obviously meant to remind colleagues still there what could happen if they challenged illegal and/or unethical behavior institutionalized from the top.

September 17 conversation between my lawyer (Tom Devine) and that of NDU (and Downie and LaPlante) Mollie Murphy reveals that, until Downie leaves CHDS in a few months, "the politics of formally restoring access aren't favorable."

AA21:

2012-2013. Despite scores of applications for U.S. government jobs, I was unable to secure a single one, except for an emergency adjunct professor slot for which I was hired the same day as I applied at the U.S. Naval Academy. During job interviews, I had palpable experience with finding that ongoing CHDS trash talk

against me had its effect.

AA22 & SA10:

2014. Hired on emergency basis at the U.S. Naval Academy and given a CAC card for entry without problem. Still was not allowed to visit Fort McNair. Only in June of that year was I allowed to return to visit colleagues at Fort McNair--that on a one-time basis as the day I went was the last day my USNA CAC card was valid.

AA23:

July 2014. New CHDS director Mark Wilkins tells me, through LinkedIn, to send all communications through his personal email account. On July 18th, I sent an email to that address informing him that I continued to be blocked from the NDU.edu system.

AA24:

2015. CHDS has kept all volumes of the *Security and Defense Studies Review* off of their main Web site, despite the many very important contributions from academics and policymakers around the Hemisphere. This includes a path breaking effort in 2010 to highlight the contributions of women in defense and security. Their presentation of information about the *Review* and pictures and stories about CHDS a virtual replay of the Stalinist practice of erasing opponents from pictures in books, news stories, etc.

AA25:

2016. As of early 2016, I was to the best of my knowledge still effectively unable to visit NDU / Fort Leslie McNair. I am not included in any CHDS mailing list or invited to any CHDS events, either as a presenter or as a guest. When last year's William Perry Award was given to someone who--until this year--was a more than 25-year friend, and who I had tried to get the award since its inception (against the unceasing mockery of Craig Deare), I was not invited to the ceremony. This despite the fact no one fought harder to get him the Award than myself.

AA26:

With the exception of colleague Evan Ellis's rendition of the conditions under which Ken LaPlante left CHDS (something that has been officially hushed up), I know of no one who has been punished for criminal behavior / gross malfeasance at CHDS / U.S. Southern Command. The only effective reprisals have been meted out on Jim Zackrison and myself as national security whistleblowers. Why am I continually humiliated, while LaPlante's reputation is given a free pass?

* * * *

Additional Evidence of Reprisal

"Better call Saul" Bracero AR 16-5

Page 006 ... Paragraph 2 ... "Fear of retribution," "propensity to retaliate," etc.

Page 007 ... Paragraph 2 ... “Several employees pointed at Mr. Andersen’s allegations against the Center and the consequences he has faced as an example of a hostile work environment.”

Page 008 ... Paragraph 3 ... “Favoritism.”

Pages 012 and 013 ... “Discrimination” ... “_____” made Mr. Andersen’s life miserable for reporting affair with a contractor—resulting in significant retribution.”

----- Forwarded message -----

From: **David Spencer**

Date: Thu, Dec 15, 2011 at 10:37 PM

Subject: FYI

To: James Zackrison ... "Martin E. Andersen"

Guys this was sent to me today. As you can see we are in the clear since we did our due diligence beforehand, but it is not preventing people from trying to find ways to get to us.

David

From: Heaton, John, Lt Col, DSCA/OGC [mailto:John.Heaton@dsca.mil]

Sent: Thursday, December 15, 2011 4:41 PM

To: LaPlante, Kenneth; Murphy, Mollie

Cc: Downie, Richard; Thompson, John; Bitencourt, Luis; Lora, Manuel;

Gold-Biss, Michael; Earle, Walter, CIV, OSD-POLICY

Subject: RE: Request for Advice/Assistance -



ASSASSINATION ON EMBASSY ROW

BY JOHN DINEES & SAUL LANDAU

On September 21, 1976, a booby-trapped car exploded on Washington's Embassy Row, killing two of its three occupants, Orlando Letelier, former Chilean ambassador, and 25-year-old Ronni Moffitt. The FBI crowned a slow-moving investigation with the uncovering of Michael Townley, expatriate American born in Waterloo, Iowa, professional assassin for Chile's secret police. Townley turned star witness for the prosecution. Two Cuban exiles were convicted for the murders. The head and two officials of Chile's secret police were indicted but not extradited to stand trial. The author-investigators present a stunningly authentic and spell-binding reconstruction of the sinister chain of events that allowed a "friendly" foreign government to stage an unparalleled act of



Evan Ellis

6/12/14

EE

To: Martin Edwin Andersen

[Details](#)

Thanks, Mick. It's actually pretty striking...OSD has relieved Ken of all hiring and firing authority, decisionmaking authority with respect to travel...and is even sending Walter Earle in to "oversee" the transition to make sure that US government equities don't get subverted by vested interests as they have so many times before. They haven't yet sent in a MP to supervise Ken while he cleans out his desk...but it's all pretty striking. Good luck with your job search!

Evan

From: Martin Edwin Andersen

[<mailto:martinedwinandersen@gmail.com>]

Sent: Thursday, June 12, 2014 11:52 AM

To: Evan Ellis

Subject: Re: FYI: Official evaluation just in from the U.S. Naval Academy.



STEVEN M SCHNEEBAUM PC

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Thomas Devine, Esq.
Government Accountability Project
1612 K Street, N.W., Suite 1100
Washington, D.C. 20006

August 26, 2014

Re: Richard Downie and Ken LaPlante v. Martin Edwin Andersen

Dear Mr. Devine:

I am in receipt of your letter dated August 18, 2014, regarding Mick Andersen.

My clients and I were heartened by your cover note, which reported your hope that "his decision and associated actions will preclude further controversy." Obviously, we share your hope. We were also pleased to observe your confidence that "this matter can and will be resolved without litigation."

What will guarantee that there is no need to revisit this issue, however, will be your client's adherence to his commitment to withdraw the posts he has already made, and to refrain from making additional ones. However, this path has been trod before, and I want to make it clear on the record, lest our silence on this be later interpreted as acquiescence, that my clients and I disagree with both the facts you allege and your characterization of this issue. In particular, attempts to minimize or to interpret away the content and context of the letter of apology that Mr. Andersen signed voluntarily as part of a binding agreement (see the Settlement Agreement, Terms and Conditions, ¶ 4.1, and Mutual Understandings, ¶¶ 12-14) are unavailing.

Mr. Andersen gave an express promise that he would "cease and desist any and all negative public discussion of CHDS and CHDS personnel (past and present)." That apology – which is hardly vague or ambiguous – was incorporated into a binding contract, negotiated to avoid his receiving an administrative suspension for violating three previous cease and desist letters from his supervisor. The settlement allowed him to leave CHDS under less than negative conditions. Potential litigation under the Whistleblower Protection Act was not, and is not now, in issue.

Your client's recent activities are facially inconsistent with the commitment he made, which is not "subject to multiple interpretations" (as you claim), but is quite straightforward: he promised never to do precisely what he has been doing over the last several months.

We also take issue with your characterization of Mr. Andersen as a whistleblower. At the time of his supposed discoveries of impropriety and illegal behavior at CHDS, Mr. Andersen never filed an official complaint, although he had plenty of opportunities to avail himself of legal and non-judicial remedies. Indeed, his supervisors at the time informed him of his options and gave him points of contact. They even advised him to investigate using 5 U.S.C. § 1215 (whether he would have had standing is a separate issue). An external investigation concluded that there had been no violation of law or policy, that EEO issues had been handled correctly, and that there was no evidence to support your client's unsubstantiated allegations.

From: **DANIEPM5**

<DANIEPM5@ucia.gov>

Date: Fri, Mar 10, 2017 at 2:52 PM

Subject: 3-Day Notice Pursuant to
Congressional Disclosure #1703

To: Martin Andersen

<andersenwordworks@gmail.com>

Mr. Andersen, our Congressional Liaison office has transmitted your classified Congressional Disclosure #1703 to both the House Permanent Subcommittee on Intelligence and the Senate Select Committee on Intelligence via a classified network, protecting the lawful disclosure of classified information.

From: [.senate.gov](mailto:senate.gov)>

Date: Wed, Jul 11, 2018 at 4:38 PM

Subject: RE: Letter (attached) for
Special Counsel Robert S. Mueller

To: Martin Edwin Andersen

Martin,

The letter has been forwarded to the FBI and DOJ's Deputy Attorney General offices. Both agencies should respond directly to you.

July 7, 2018

Special Counsel Robert S. Mueller
c/o The Office of Deputy Attorney General
Rod J. Rosenstein
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear Special Counsel Mueller,

According to extensive media reporting, your office has sought to delay the sentencing for General (ret.) Michael Flynn, the former head of the Defense Intelligence Agency (DIA) appointed by President and Commander-in-Chief Donald Trump to head the National Security Council (NSC).

As a decorated (with the FBI's help) national security whistleblower while at the Department of Justice Criminal Division, I believe that the following will be of particular interest to you as you complete your investigation.

Although the focus of your work has been on the Russian government and alleged relationships to and with U.S. political operatives in the 2016 campaign—including General Flynn (earlier the head of the DIA, one of the United States' top intelligence agencies)—I believe additional serious wrongdoing, with a possible "domino effect" on national security, may in fact have taken place within the National Security Council.

While at the NSC General Flynn brought on as his senior adviser on the Americas Lt. Col. (ret.) Craig Deare, a former DIA officer, this at a time when Vladimir Putin's minions are energetically engaged in a propaganda and intelligence offensive in Latin America and the Caribbean.¹

Now still a professor at the National Defense University, Lt. Col. Deare is a principal subject of my Congressional Disclosures #1603, #1703 and #1808 given to the Intelligence Community Office of the Inspector General (IC

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----- Forwarded message -----

From: **Martin E. Andersen** <martinedwinandersen@gmail.com>
Date: Wed, Jun 22, 2011 at 3:23 PM
Subject: Fwd: A message from the CHDS Director.
To: Miguel Gonzalez <newtec99@att.net>

Looks like "circle wagons and shoot messenger time" is their strategy ...

----- Forwarded message -----

From: "CHDS Stratcom" <chdsstratcom@ndu.edu>
Date: Jun 22, 2011 11:36 AM
Subject: A message from the CHDS Director.
To:

I am writing to provide you information concerning some emails that you may have recently received from an employee of the Center for Hemispheric Defense Studies (CHDS).

The allegations in the emails involve a number of current and former CHDS personnel and relate to alleged incidents, some of which are five or more years in the past. Most of the allegations raised in these emails have already been addressed and closed. We are reviewing each of the remaining allegations to further ensure that appropriate action has been taken. In this review, we are working closely with appropriate authorities of the National Defense University and the Defense Security Cooperation Agency.

Please contact the CHDS Dean of Students, Administration & Outreach, John Thompson at: thompsonj17@ndu.edu if you have any questions or concerns.

Sincerely,
Richard D. Downie, Ph.D.
Director <http://www.ndu.edu/chds/>

I

Thanks..I kind enjoy
your keen preparation
of our collective
suicide...I am afraid
that your avalanche of
memos and similar notes
and bagatelles have
made many peoples'
sphincters snap
shut...let us see what
state of warpath they
are tomorrow....they
will seek blood

From: Martin E. Andersen

<martinedwinandersen@gmail.com>

To: Cris Arcos <arcoscs@yahoo.com>

Sent: Mon, May 30, 2011 10:01:06 PM

Subject: Re: Fwd: FW: Frank McGurk

Your client (or former client) Mick Anderson has contacted the publisher of a former NDU colleague's, making an allegation that I believe breach the settlement in our case:

“got a call from a Martin Anderson saying that we may face litigation if we publish book because of an ongoing investigation regarding the murder of South Americans (?).”

P.S. This incident was sufficiently disturbing that I mentioned it to Bruce Burslie, Frank McGurk and my wife Basia, asking for their advice.

From: Andersen, Martin Edwin

Sent: Wednesday, April 09, 2008 11:33 AM

To: 'martinedwinandersen@yahoo.com'

Cc: Andersen, Martin Edwin

Subject: Butt Boy

On April 4, I was in Ken LaPlante's office when Mr. David Lamm of NESAs, our sister agency, walked in. Although I had met Mr. Lamb on various occasions, Ken introduced me to him as "Mick Andersen, my Butt Boy." I was both shocked and hurt by this description, but kept my temper and was able to say, "No Ken, I'm not." After Lamm left his office, I returned to tell Ken that I thought his description was both demeaning and inappropriate, that he could call me his "wing man," "assistant," or whatever, but not that. Ken claimed he was just kidding and I let the matter drop.

----- Forwarded Message -----

From: Martin Edwin Andersen <martinedwinandersen@yahoo.com>
To: Ken LaPlante <laplanteK@ndu.edu>
Cc: Dr. Richard Downie <downier@ndu.edu>
Sent: Tue, December 14, 2010 12:01:32 PM
Subject: Fw: RE: Very Important

Ken,

Here (below) is the director saying that I need to stand down, that I was not hired to be an "investigative journalist"-- even though my memos clearly stated that I was doing this on my own time, and that *you* initially told me to look into it.

As to it being a "tangential activity" as the director said, I point out that Strategic Communications involves protecting the Center's reputation, including for moral solvency.

The picture, even if unfair, of Jaime in front of a CHDS escudo and a headline accusing him of torture is--from a StratComm point of view--a very serious problem, whether or not the charge is true.

Add this to the fact we have two WHINSEC chiefs in the front office, the former head of the Colombian military (who personally I like very much, but who does occasionally silly things like giving the fascist salute and singing "Cara al Sol" with his door open), as well as having invited slimy friends of the likes of ethically challenged Craig Deare (one of who openly lied in his presentation to CHDS faculty and staff--something that can be easily proved), offers the chance for disreputable members of the press to paint a picture that puts the Center as a USG entity and all the good people who work here at risk.

This is what I was concerned about, and this is why I thought it was a threat to the Center and why I took so much of my personal time trying to help get to the bottom of this.

As I said, I make no legal judgments in any of this; I'm not a lawyer. I am, however, a public affairs professional, and take great pride in having spoke up when others remain silent.

For the record, have to do this--looking into the purported past of someone I consider a friend--was not, as the director claimed, putting "a lot of effort into doing things (one likes)."

I found doing so was emotionally draining, in addition taking time from my family, friends and university studies.

V/R,
Mick

----- Forwarded Message -----

From: "Downie, Richard" <DownieR@ndu.edu>
To: martinedwinandersen@yahoo.com; "LaPlante, Kenneth" <LaPlanteK@ndu.edu>
Sent: Wed, November 12, 2008 6:15:09 PM
Subject: RE: RE: Very Important

----- Forwarded message -----

From: <arcoscs@yahoo.com>

Date: Sat, May 21, 2011 at 8:04 PM

Subject: Re: A car accident and a biopsy

To: "Martin E. Andersen"

<martinedwinandersen@gmail.com>

Mick, bless you! You have such a grand spirit of life coupled with an extraordinary sense of purpose. You are not only fortunate to have a wonderful family and spouse but a first class brain and wonderful humanitarian sense. I salute you and hope you have a speedy recovery. Thanks for your friendship and kindness, cris

On Mon, May 30, 2011 at 9:43 PM, Cris Arcos <arcoscs@yahoo.com> wrote:

Mick, with the revealing load of memos to the file you have showered on us simply suggests that something is amiss in this unfortunate place...yet we are the Latin American center with the most resources in the entire country and all one hears is the acrimony, grousing, mean-spirited atmosphere. verily a rather disconcerting esprit de corps...

Certificate Of Service

e-Appeal has handled service of the assembled pleading to MSPB and all of the Parties.

Following is the list of the Parties in the case:

Name & Address	Documents	Method of Service
MSPB: Washington Regional Office	Evidence-Based Pleading on Protected Activities	e-Appeal / e-Mail
Mollie A. Murphy Agency Representative	Evidence-Based Pleading on Protected Activities	e-Appeal / e-Mail