

THE ISSUES THOMAS DRAKE AND OTHERS WHISTLEBLED ON REMAIN URGENT

I've been looking at one of the Siobhan Gorman articles that accused whistleblower Thomas Drake served as a source for. I'll have more later, but I wanted to point out one main thrust of the story: the NSA had no way of measuring efficacy and controlling costs.

At the NSA, and throughout the government, the Sept. 11 attacks created a crisis atmosphere. Congress responded by pouring money into anti-terrorism efforts, while intelligence agencies scrambled to put new programs in place — often without the planning and oversight needed to succeed, intelligence professionals said.

At an agency-wide meeting at the NSA not long after the Sept. 11 attacks, Michael V. Hayden, then the NSA director, announced a \$1 billion budget increase.

But the top-secret agency, based at Fort Meade between Baltimore and Washington, has no mechanism to systematically assess whether it is spending its money effectively and getting what it has paid for, NSA veterans said. One former employee likened it to a neighborhood with no police to enforce the traffic laws.

While this is not necessarily the core of what—per Jane Mayer—the government is prosecuting Drake for, it's important for this reason. The NSA has been claiming—falsely—to have fixed its clusterfuck accounting system.

In June 2009, the Director of NSA wrote

to the Chairman and Vice Chairman, claiming that the NSA was now –fully compliant with the laws, regulations, and manuals referenced in the U.S. Army Finance Command report and the Federal Financial Managers Integrity Act. The NSA Director’s letter also stated that the NSA had been able to reconcile its fiscal year 2008 financial records. In July 2009, the Chairman and Vice Chairman wrote to the Secretary of Defense concerning the NSA Director’s letter. They stated that in light of the NSA’s past difficulties in producing auditable financial statements, the Committee believed the progress claimed by the NSA should be independently confirmed by the DoD Inspector General. Specifically, the letter requested that the DoD IG conduct a form and content review of the NSA’s fiscal year 2009 financial statements to determine whether they were supported by reliable and accounting data and supporting information.

The Committee received the results of the DoD IG’s review in November 2009, which was very critical of NSA’s claims. Overall, the IG found that the **NSA’s financial statements were not adequately supported by reliable accounting data and supporting information. An even more disturbing finding was that the NSA’s –remediation plans do not fully address audit impediments.** Specific findings included an inability to reconcile critical general ledger balances, failure to perform required accounting processes, and inconsistencies between the information contained in the notes to the financial statements and the information provided to the IG. The IG’s findings raised serious questions about the assertions made by the NSA Director in his June 2009 letter and the support he is receiving from the administrative

staff involved. [my emphasis]

This is just one reason why the government's prosecution of Thomas Drake is so outrageous. While his charges pertain to the way in which contracts get picked (rather than to the accounting clusterfuck itself), the prosecution of him—effectively, if Mayer is right, because he refused to falsely claim close allies sourced the illegal wiretap story—serves primarily to intimidate whistleblowers.

It took intelligence oversight committees seven years to prove that NSA wasn't fixing problems first exposed eight years ago. Yet people were trying—in 2006—to expose the ongoing problems.

And yet the most transparent President seems to be doing everything he can to make sure no one makes similar efforts in the future.